



# KAWAINUI-HĀMĀKUA MASTER PLAN PROJECT

FINAL ENVIRONMENTAL IMPACT STATEMENT | APPENDICES

VOLUME 2 | OCTOBER 2019



Prepared for:  
State of Hawai'i  
Department of Land and Natural Resources,  
Division of Forestry and Wildlife  
and  
Division of State Parks

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# APPENDICES







# APPENDIX **A-1**

ENVIRONMENTAL IMPACT STATEMENT  
PREPARATION NOTICE  
COMMENTS AND RESPONSES







## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Pacific Islands Fish and Wildlife Office  
300 Ala Moana Boulevard, Room 3-122  
Honolulu, Hawai'i 96850

In Reply Refer To:  
01EPIF00-2016-TA-0526

Ms. Marigold Zoll  
O'ahu Forestry and Wildlife Manager  
State of Hawai'i  
Division of Forestry and Wildlife  
Department of Land and Natural Resources  
P.O. Box 621  
Honolulu, Hawai'i 96809

OCT 26 2016

Subject: Technical Assistance for the Environmental Impact Statement Preparation Notice (EISPN) for the Kawainui-Hāmākua Master Plan Project, Kailua, O'ahu

Dear Ms. Zoll:

The U.S. Fish and Wildlife Service received your letter on September 23, 2016, requesting information regarding our comments on the proposed Kawainui-Hāmākua Master Plan Project located within the areas of Kawainui Marsh, Hāmākua Marsh, and Pu'uoehu hillside in Kailua, O'ahu [TMKs: (1) 4-2-003:017 and 030; (1) 4-2-023:005, 010, 022, and 038; (1) 4-2-016:002 and 015; (1) 4-2-017:020; (1) 4-2-103:018 and 035; and (1) 4-4-034: 025]. It is our understanding that HHF Planners will be preparing the Environmental Impact Statement (EIS) in accordance with Chapter 343, Hawai'i Revised Statutes and EIS rules (Title 11, Chapter 200, Hawai'i Administrative Rules) for the proposed project. The proposed project was initiated to provide the State of Hawai'i Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP) a master plan to serve as a guide for programming and implementing future improvements within the Kawainui-Hāmākua area. Major proposals and recommendations from the master plan address wetland management and restoration, upland reforestation, drainage improvements, restoration and establishment of native Hawaiian cultural sites and practices, educational programs and passive outdoor recreation.

Our comments are provided under the authorities of the Endangered Species Act (ESA) of 1973 (16 U.S.C. 1531 *et seq.*), as amended; Migratory Bird Treaty Act (16 U.S.C. 103 *et seq.*), as amended (MBTA); the National Environmental Policy Act of 1969 [42 U.S.C. 4321 *et seq.*; 83 Stat. 401], as amended (NEPA); and the Clean Water Act of 1977 [33 USC 1251 *et seq.*; 91 Stat. 1566], as amended, among others. The Service offers the following comments.

We have reviewed the information you provided and pertinent information in our files, including data compiled by the Hawai'i Biodiversity and Mapping as it pertains to listed species and designated critical habitat in accordance with section 7 of the ESA. There is no federally designated critical habitat within the immediate vicinity of the proposed project. Our data indicate that the following federally listed species occurs or may transit through the vicinity of

the proposed project area: the endangered Hawaiian hoary bat or ope‘ape‘a (*Lasiurus cinereus semotus*), the endangered Hawaiian stilt or ae‘o (*Himantopus mexicanus knudseni*), the endangered Hawaiian gallinule or ‘alae ‘ula (*Gallinula galeata sandvicensis*), the endangered Hawaiian coot or ‘alae ke‘oke‘o (*Fulica alai*), and the endangered Hawaiian duck or koloa maoli (*Anas wyvilliana*). Also, the wedge-tailed shearwater or ‘ua‘u kani (*Puffinus pacificus*), a species protected under the MBTA, may transit through the vicinity of the proposed project.

#### Hawaiian hoary bat

The Hawaiian hoary bat is most often observed foraging in open areas, near the edges of forests, or over open water, however, they have also been observed in various habitat types and locations throughout O‘ahu. The proposed project area contains roosting and foraging habitat suitable for the bat. Suitable habitats within the proposed project location include the open and patchy forest and open water areas. Additionally, Bonaccorso *et al.* 2015 (p. 69) have documented Hawaiian hoary bats traveling up to 6.8 mi (11 km) in one direction in a single night to forage. Bats may potentially roost and forage within the project area based upon the following: the existence of potential roosting and foraging habitat within the project area; observations of bats at various locations and habitats throughout O‘ahu; and the foraging habits of the bat. Therefore, we recommend the following minimization measures to avoid impacts to the Hawaiian hoary bat.

The Hawaiian hoary bat roosts in both exotic and native woody vegetation and, while foraging, will leave young unattended in “nursery” trees and shrubs. If trees or shrubs suitable for bat roosting are cleared during the breeding season, there is a risk that young bats could inadvertently be harmed or killed since they are too young to fly or may not move away. To minimize impacts to the endangered Hawaiian hoary bat, woody plants greater than 15 feet (4.6 meters) tall should not be disturbed, removed, or trimmed during the bat birthing and pup rearing season (June 1 through September 15). Site clearing should be timed to avoid disturbance to Hawaiian hoary bats in the project area.

Threats to the Hawaiian hoary bat include habitat destruction (elimination of roosting sites), direct and indirect effects of pesticides, disease, colliding with wind turbines, and entanglement on barbed wire fences (USFWS 2011a, pp. 8-9). Hawaiian hoary bats are more vulnerable to barbed wire fences that occur in open areas than fences in forested areas (Jeffrey 2007 pers. comm. 2007). We recommend that any fencing used for the proposed project be designed to avoid the use of barbed wire.

#### Hawaiian waterbirds

The Hawaiian stilt, Hawaiian coot, Hawaiian gallinule, and Hawaiian duck, collectively referred to as Hawaiian waterbirds, occur at Kawainui Marsh and Hāmākua Marsh. Kawainui Marsh and Hāmākua Marsh have been designated as core wetlands that are protected and managed to recover Hawaiian waterbirds (USFWS 2011b). One of the proposed project’s objectives is to promote environmental preservation and stewardship, which involves the restoration, management, and maintenance of wetlands and the improvement of habitat to support the recovery of endangered waterbirds. The Service fully supports this objective; however, we are concerned with the following and its potential impacts on Hawaiian waterbirds: activities being conducted and the increased amount of people visiting the project area during the Hawaiian waterbird breeding season; potential feeding of waterbirds; dogs being allowed within the project area; and potential feeding of feral cat colonies.



Hawaiian waterbirds may suffer adverse impacts, such as predation, reduced reproductive success due to disturbance within the vicinity of a nest, injury or death from being hit by a vehicle as a result of activities (*e.g.*, construction, vegetation removal) and increased human presence within the project area during the Hawaiian waterbird breeding season. We recommend the Draft EIS identify activities that may impact Hawaiian waterbirds during its breeding season, evaluate its impacts on Hawaiian waterbirds, and identify avoidance and minimization measures to address such impacts.

Hawaiian waterbirds, particularly, the Hawaiian stilt, are known to nest in sub-optimal locations (*e.g.*, any ponding water) if present. Hawaiian waterbirds attracted to sub-optimal habitat may suffer adverse impacts as those listed above and thus construction during the project may create an attractive nuisance. Therefore, we recommend you design the proposed project in a manner that minimizes the amount of time standing water is present during construction, thereby, reducing the potential to attract waterbirds.

An unfenced portion of Hāmākua Marsh abuts a shopping center and receives a high amount of human traffic. This has resulted in several documented deaths and disturbances of endangered waterbirds at Hāmākua Marsh. People have discarded bread or other foods in parking areas adjacent to the marsh. Attracted by the food, waterbirds leave the marsh and forage for crumbs in the parking area, and these birds have been killed by vehicles and occasionally people. Dog owners throw tennis balls into the marsh for their dogs to retrieve, which disturbs nesting birds or may result in direct predation. In addition, there has been illegal disposal of garbage which has degraded nesting habitat. The Service is concerned that the proposed project may result in Hawaiian waterbirds being fed by people visiting Kawainui Marsh and Hāmākua Marsh, which is not nutritionally beneficial for the waterbirds. Additionally, this may cause Hawaiian waterbirds to be attracted to parking areas thereby exposing birds to potentially being hit by vehicles. We are also concerned that people may allow their dogs to run loose in the wetland, which may disturb, attack, or prey upon Hawaiian waterbirds. Therefore, we recommend the Draft EIS address these concerns, evaluate its impacts on Hawaiian waterbirds, and identify measures to avoid and minimize potential impacts to listed Hawaiian waterbirds.

Feral cats are a known predator of Hawaiian waterbirds; the Service is concerned with the potential for feral cat colonies to be fed within the project area. The EISPN stated that feral cats will be trapped and removed; however, it does not address the feral cat colony issue. We recommend the Draft EIS address the feral cat colony issue, evaluate its impact on Hawaiian waterbirds, and identify measures to avoid and minimize potential impacts to listed Hawaiian waterbirds.

If it is determined that the proposed project may affect federally listed species, we recommend you contact our office early in the planning process so that we may assist you with the ESA compliance.

#### Wedge-tailed shearwater

Outdoor lighting, such as street lights and night-time work, can adversely impact listed and migratory seabird species found in the vicinity of the proposed project. Seabirds fly at night and are attracted to artificially lighted areas which can result in disorientation and subsequent fallout due to exhaustion or collision with objects such as utility lines, guy wires, and towers that

protrude above the vegetation layer. Once grounded, they are vulnerable to predators or often struck by vehicles along roadways. Wedge-tailed shearwater nesting colonies are located on offshore islets and several locations on O‘ahu; every year many young shearwaters are downed and struck along O‘ahu roadways. Any increase in the use of night-time lighting, particularly during each year’s peak fallout period (September 15 through December 15), could result in additional seabird injury or mortality.

If night-time work is proposed for your project, impacts to seabirds can be minimized by shielding outdoor lights to the maximum extent possible, eliminating night-time construction, and providing all project staff with information about seabird fallout and that downed birds can be taken to Sea Life Park for rehabilitation. All lights, including street lights, should be shielded so the bulb can only be seen from below and use the lowest wattage bulbs possible. Project plans should address all potential impacts to seabirds and outline conservation measures to minimize these impacts.

#### *General Comments*

The EISPN mentions that vegetation management and invasive species removal will be conducted, however details regarding these management activities are not provided. We recommend the Draft EIS provide information such as the timing of the above management activities and methods for vegetation and/or invasive plant species removal (*e.g.*, herbicide, mechanical, hand-pulling), an evaluation of project impacts on fish and wildlife resources, and conservation measures to avoid and minimize such impacts.

Only a brief description is provided in the EISPN regarding the predator control program and protective fencing to be installed around project area boundaries to minimize intrusion by predators such as dogs and pigs. We recommend the Draft EIS provide specific information regarding the predator control program such as the targeted predator species and methods of control to be used for each target species, the type of fencing to be installed, and an evaluation of project impacts on fish and wildlife resources, and conservation measures to avoid and minimize such impacts.

Hawai‘i’s native ecosystems are heavily impacted by exotic invasive plants. Whenever possible we recommend using native species for landscaping. If native plants do not meet the landscaping objectives, we recommend choosing species that are thought to have a low risk of becoming invasive. The following websites are good resources to use when choosing landscaping plants: Pacific Island Ecosystems at Risk (<http://www.hear.org/Pier/>), Weed Risk Assessment for Hawai‘i and Pacific Islands (<http://www.botany.hawaii.edu/faculty/daehler/wra/>) and Global Compendium of Weeds (<http://www.hear.org/gcw/>).

Because the proposed project involves earthwork, we are attaching the Service’s recommended Best Management Practices regarding sedimentation and erosion control. We encourage you to incorporate the relevant practices into your project design.



We appreciate your efforts to conserve listed species and we look forward to reviewing the Draft EIS for the proposed project. If you have questions about our comments, please contact Leila Gibson, Fish and Wildlife Biologist (phone: 808-792-9400, email: leila\_gibson@fws.gov).

Sincerely,



Aaron Nadig  
Island Team Manager  
O'ahu, Kaua'i, North Western Hawaiian Islands,  
and American Samoa

Enclosure: Service BMPs for erosion and sediment control

Literature Cited

Bonaccorso, F. J., C. M. Todd, A. C. Miles, and P. M. Gorresen. 2015. Foraging range movements of the endangered Hawaiian hoary bat, *Lasiurus cinereus semotus* (Chiroptera: Vespertilionidae). *Journal of Mammalogy* 96: 64-71.

Jeffrey, J. 2007. Personal Communication. Biologist, Hakalau National Wildlife Refuge, United States Fish and Wildlife Service.

[USFWS] U.S. Fish and Wildlife Service. 2011a. Hawaiian Hoary Bat (*Lasiurus cinereus semotus*), 5-Year Review Summary and Evaluation.

[USFWS] U.S. Fish and Wildlife Service. 2011b. Recovery Plan for Hawaiian Waterbirds, Second Revision. U.S. Fish and Wildlife Service, Portland, Oregon.

## **U.S. Fish and Wildlife Service Recommended Standard Best Management Practices**

The U.S. Fish and Wildlife Service (USFWS) recommends the following measures to be incorporated into project planning to avoid or minimize impacts to fish and wildlife resources. Best Management Practices (BMPs) include the incorporation of procedures or materials that may be used to reduce either direct or indirect negative impacts to aquatic habitats that result from project construction-related activities. These BMPs are recommended in addition to, and do not over-ride any terms, conditions, or other recommendations prepared by the USFWS, other federal, state or local agencies. If you have questions concerning these BMPs, please contact the USFWS Aquatic Ecosystems Conservation Program at 808-792-9400.

1. Authorized dredging and filling-related activities that may result in the temporary or permanent loss of aquatic habitats should be designed to avoid indirect, negative impacts to aquatic habitats beyond the planned project area.
2. Dredging/filling in the marine environment should be scheduled to avoid coral spawning and recruitment periods, and sea turtle nesting and hatching periods. Because these periods are variable throughout the Pacific islands, we recommend contacting the relevant local, state, or federal fish and wildlife resource agency for site specific guidance.
3. Turbidity and siltation from project-related work should be minimized and contained within the project area by silt containment devices and curtailing work during flooding or adverse tidal and weather conditions. BMPs should be maintained for the life of the construction period until turbidity and siltation within the project area is stabilized. All project construction-related debris and sediment containment devices should be removed and disposed of at an approved site.
4. All project construction-related materials and equipment (dredges, vessels, backhoes, silt curtains, etc.) to be placed in an aquatic environment should be inspected for pollutants including, but not limited to; marine fouling organisms, grease, oil, etc., and cleaned to remove pollutants prior to use. Project related activities should not result in any debris disposal, non-native species introductions, or attraction of non-native pests to the affected or adjacent aquatic or terrestrial habitats. Implementing both a litter-control plan and a Hazard Analysis and Critical Control Point plan (HACCP – see <http://www.haccp-nrm.org/Wizard/default.asp>) can help to prevent attraction and introduction of non-native species.
5. Project construction-related materials (fill, revetment rock, pipe, etc.) should not be stockpiled in, or in close proximity to aquatic habitats and should be protected from erosion (*e.g.*, with filter fabric, etc.), to prevent materials from being carried into waters by wind, rain, or high surf.
6. Fueling of project-related vehicles and equipment should take place away from the aquatic environment and a contingency plan to control petroleum products accidentally spilled during the project should be developed. The plan should be retained on site with the person responsible for compliance with the plan. Absorbent pads and containment booms should be stored on-site to facilitate the clean-up of accidental petroleum releases.
7. All deliberately exposed soil or under-layer materials used in the project near water should be protected from erosion and stabilized as soon as possible with geotextile, filter fabric or native or non-invasive vegetation matting, hydro-seeding, etc.



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
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ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. Aaron Nadig, Island Team Manager  
U.S. Department of the Interior  
Fish and Wildlife Service  
Pacific Islands Fish and Wildlife  
300 Ala Moana Blvd., Room 3-122

Dear Mr. Nadig:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i  
Reference 01EPIF00-2016-TA-0526**

Thank you for your letter dated October 26, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We acknowledge that there are no federally designated critical habitat in the immediate vicinity of the proposed project site based upon data compiled by the Hawai'i Biodiversity and Mapping and your files. Your available data does indicate that some federally-listed species occur or may transit through the project vicinity. Our responses address your comments on those species.

Hawaiian Hoary Bat

We acknowledge that the project site contains roosting and foraging habitat that may be suitable for the endangered Hawaiian hoary bat or ope'ape'a (*Lasiurus cinereus semotus*). An avian and terrestrial mammal survey conducted addresses project impacts, and is included in the Draft EIS. The minimization measures identified have been incorporated in the Draft EIS. In addition, fencing used for the property boundary and around wetland areas will be designed to avoid the use of barbed wire.

Hawaiian Waterbirds

We appreciate your agency's support of the project objectives to conduct restoration, management, and maintenance of the wetlands at Kawainui and Hāmākua to support the recovery of endangered waterbirds. The project will increase public access within Kawainui allowing visitors to view the wetlands and wildlife habitat. This supports the State DLNR, Division of Forestry and Wildlife



(DOFAW) and Division of State Parks (DSP) agency missions and regulatory requirement to improve public access, support outdoor recreation, and support cultural practices and educational programming. Public access for visitors would be limited to certain areas and along pedestrian trails that are discussed in the Draft EIS. Fencing planned along certain pedestrian trail segments would further manage public access, and minimize disturbing waterbirds. This and other management practices planned should address concerns associated with increased people visiting the site.

Improvements supporting public access (e.g. education center) are located within upland areas, and visitors would not be allowed to enter the wetland except at designated areas, such as observation decks. Low fencing around certain wetland areas planned would restrict visitors from accessing too close to the wetland. DOFAW can also implement management tools, such as further restricting access to certain areas, to provide increased buffer areas from waterbirds during the nesting season.

Vehicles would only be allowed at designated parking areas within upland areas, and would not injure waterbirds. Construction-related vehicles would also be restricted to upland areas and within designated staging areas minimizing potential effects on waterbirds. DOFAW staff and vehicles already have access within all upland areas as part of daily management and maintenance activities, so there should not be a significant impact with the project. The Draft EIS further discusses these efforts to avoid and minimize effects on endangered waterbirds.

Construction activities should not result in ponding water at these sites, and the existing restoration ponds and wetlands provide more suitable habitat for the Hawaiian stilt, or ae'o (*Himantopus mexicanus knudseni*). Nevertheless, design plans developed for areas implemented would include best management practices to minimize the amount of time any standing water is present to further minimize potential impacts to the Hawaiian stilt.

DOFAW is aware of the concerns expressed at Hāmākua Marsh along the shopping center, and is already evaluating different management options to address this such as fencing with educational signage. General public access is not being permitted within Hāmākua Marsh under this project. The only public access allowed would be associated with educational or cultural programs or special events coordinated with DOFAW. Therefore, the project would not exacerbate these current issues at Hāmākua.

At Kawainui, the education center planned would serve as the main entrance point to manage visitors to that upland area, and would educate visitors about the issues with feeding wildlife, rubbish, etc. Parking areas are situated within upland areas near existing roadways that are considerable distances away from the wetland, and should not have problems with waterbirds, as compared to the shopping center parking lots situated along Hāmākua Marsh. Dogs would not be allowed within public accessible areas, and DOFAW is already planning on enforcing this restriction for visitors currently using the levee. The Draft EIS includes more information on the project and efforts to minimize impacts on Hawaiian waterbirds.



Feral cats are already present at Kawainui and Hāmākua, but such cat colonies are not an existing major issue with Hawaiian waterbirds for DOFAW management activities. As previously discussed, management activities and visitor education would address the feeding of stray cats. The Draft EIS includes more information address feral cats. DOFAW presently has a predator control program occurring at the restoration ponds and at Hāmākua, with traps checked daily.

The project should not adversely affect federally listed species, and DOFAW will continue to coordinate with your office to address existing and future management activities and Endangered Species Act compliance, as appropriate.

#### Wedge-Tailed Shearwater

No night-time construction activities would occur within Kawainui and Hāmākua to address potential impacts on the wedge-tailed shearwater or 'ua'u kani (*Puffinus pacificus*). Any outside building lighting required would be shielded and use the lowest wattage bulbs possible to further minimize long-term effects on this shearwater. The Draft EIS includes these requirements as mitigative measures to minimize impacts.

#### General Comments

The Draft EIS includes more information on the activities planned to occur as part of wetland restoration and upland reforestation improvements that are intended to reduce invasive vegetation species present. The timing of these improvements would be phased over time and subject to funding availability, and the Draft EIS provides more information. Several technical studies are also included that address the project's effect on fish and wildlife resources.

The Draft EIS includes more information to address the predator control program and protective fencing. Native plants are planned to be used as part of landscaping improvements within the project area. We appreciate the resources provided in helping chose landscape plants along with the agency's recommended best management practices for sedimentation and erosion control. Relevant practices would be included as part of design plans developed for areas as they are implemented.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



## United States Department of the Interior

U.S. GEOLOGICAL SURVEY  
Pacific Islands Water Science Center  
1845 Wasp Boulevard, Building 176  
Honolulu, Hawaii 96818

Phone: (808) 690-9600/Fax: (808) 690-9599

October 13, 2016

Mr. Ronald A. Sato, AICP, Senior Associate  
HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, Hawai'i 96813

Dear Mr. Sato:

Subject: Environmental Impact Statement Preparation Notice (EISPN) providing public notice that an Environmental Impact Statement (EIS) is being prepared for the Kawainui-Hāmākua Master Plan Project, Ko'olaupoko District, O'ahu, Hawai'i; Tax Map Key Numbers: (1) 4-2-003: 017 and 030; 4-2-013: 005, 010, 022 and 038; 4-2-016: 002 and 015; 4-2-017: 020; 4-2-103: 018 and 035; and 4-4-034: 025

Thank you for forwarding the subject EISPN for review and comment by the staff of the U.S. Geological Survey Pacific Islands Water Science Center. We have reviewed the document and have no comments to offer at this time.

We appreciate the opportunity to participate in the review process.

Sincerely,

Stephen S. Anthony  
Center Director

cc: Ms. Marigold Zoll, O'ahu Forestry and Wildlife Manager  
State of Hawai'i  
Division of Forestry and Wildlife  
Department of Land and Natural Resources  
P.O. Box 621  
Honolulu, Hawai'i 96809

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. Stephen S. Anthony  
Center Director  
U.S. Department of the Interior  
U.S. Geological Survey  
Pacific Islands Water Science Center  
1845 Wasp Boulevard, Building 176  
Honolulu, Hawai'i 96818

Dear Mr. Anthony:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 13, 2016 on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We note that the Pacific Islands Water Science Center has no comments at this time.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Smith", is written over a horizontal line.

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planner



DAVID Y. IGE  
GOVERNOR



DOUGLAS MURDOCK  
COMPTROLLER

AUDREY HIDANO  
Deputy Comptroller

**STATE OF HAWAII**  
**DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES**

P.O. BOX 119, HONOLULU, HAWAII 96810-0119

OCT 04 2016

Mr. Ronald A. Sato, AICP, Senior Associate  
HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, Hawaii 96813



Dear Mr. Sato:

Subject: Environmental Impact Statement Preparation Notice for  
Kawainui-Hamakua Master Plan Project  
Koolaupoko District, Oahu, Hawaii  
TMK: (1) 4-2-003: 017 and 30  
4-2-013: 005, 010, 022, and 038  
4-2-016: 002 and 015  
4-2-017: 020  
4-2-103: 018 and 035  
4-4-034: 025

Thank you for the opportunity to comment on the subject project. We have no comments to offer at this time as the proposed project does not impact any of the Department of Accounting and General Services' projects or existing facilities.

If you have any questions, your staff may contact Ms. Gayle Takasaki of the Planning Branch at 586-0584.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott M. Ojiri".

SCOTT M. OJIRI  
Acting Public Works Administrator

GT:lnn

c: Ms. Marigold Zoll, DLNR-Division of Forestry and Wildlife



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
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BOARD OF LAND AND NATURAL RESOURCES  
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FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. Scott M. Ojiri, Acting Public Works Administrator  
Department of Accounting and General Services  
State of Hawai'i  
P.O. Box 119  
Honolulu, Hawai'i 96810-0119

Dear Mr. Ojiri:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 4, 2016 on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We note that no comments are provided at this time because the project does not impact any of your department's existing facilities or projects.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Smith", is written over a horizontal line.

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



## OFFICE OF PLANNING STATE OF HAWAII

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813  
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

DAVID Y. IGE  
GOVERNOR

LEO R. ASUNCION  
DIRECTOR  
OFFICE OF PLANNING

Telephone: (808) 587-2846  
Fax: (808) 587-2824  
Web: <http://planning.hawaii.gov/>

Ref. No. P-15340

October 24, 2016

Mr. Ronald A. Sato, AICP  
Senior Associate  
HHF Planners  
Pacific Guardian Center  
733 Bishop Street, Suite 2590  
Honolulu, Hawaii 96813

Dear Mr. Sato:

Subject: Environmental Impact Statement Preparation Notice  
Kawainui-Hamakua Master Plan Project, Koolau-poko District, Oahu,  
Hawaii;

TMKs: (1) 4-2-003:017 and 030; (1) 4-2-013:005, 010, 022, and 038; (1)  
4-2-016:002 and 015; (1) 4-2-017:020; (1) 4-2-103:018 and 035; and  
(1) 4-4-034:025

Thank you for the opportunity to review the Environmental Impact Statement Preparation Notice (EISPN) for the proposed Kawainui-Hamakua Master Plan. The EISPN was sent to our office via letter dated September 21, 2016.

It is our understanding that an Environmental Impact Statement is being prepared to assess the environmental impacts that may result from the implementation of the 2014 Draft Kawainui-Hamakua Complex Master Plan. The Draft Master Plan addressed resource management, wetland enhancement, cultural practices, educational programs, and passive outdoor recreation. The Draft Environmental Impact Statement (Draft EIS) will address improvements that were concepts developed from the Draft Master Plan, and were later refined based upon public comments during the review process.

The Office of Planning (OP) has reviewed the EISPN and has the following comments to offer:

1. Pursuant to Hawaii Administrative Rules (HAR) § 11-200-17(i) – probable impact of the proposed action on the environment, and impacts of the natural and human environment – the Draft EIS should examine water quality, the growth of evasive vegetation on the marshes, human use impacts, and the restoration plans proposed resource preservation issues. The Draft EIS should include a detailed evaluation of the restorative plans proposed to protect the water resources of the Kawainui-Hamakua area.

Section 2.1.2.1, page 2-4 of the EISPN states that Kawainui is the largest remaining freshwater wetland remaining within the State of Hawaii. These marsh areas provides an important flood control function by serving as a flood basin for low-lying urbanized areas, slowing down surface runoff, and protecting the water quality of Kailua Bay.

Furthermore, Section 2.2.1, page 2-12 of the EISPN states that the Draft EIS will detail major initiatives proposed by the DLNR that include wetland restoration, upland reforestation, stormwater runoff improvements, and improvements supporting the Division of Forestry and Wildlife operations.

The Draft EIS should summarize the potential impact to the marsh areas from contaminants from surrounding agricultural and urban activity (e.g., fertilizers, herbicides, petroleum products, etc.), and upland sediment. Furthermore, the Draft EIS should examine the ability of DLNR to meet these initiative goals.

OP has produced resources available to assist this project and its wetland restoration designs. OP recommends reviewing these guidance documents and evaluative tools when developing strategies and mitigation measures for the Kawainui-Hamakua marshes. They offer useful techniques so that these areas can serve a nonpoint source pollution abatement function. The guidance documents and evaluative tools that are available for this project include:

- Hawaii Watershed Guidance provides management measures for the protection of wetlands and riparian areas, the restoration of wetlands and riparian areas, and vegetated treatment systems to restore and protect riparian areas from adverse pollution sources.  
[http://files.hawaii.gov/dbedt/op/czm/initiative/nonpoint/HI Watershed Guidance Final.pdf](http://files.hawaii.gov/dbedt/op/czm/initiative/nonpoint/HI_Watershed_Guidance_Final.pdf)
- Stormwater Impact Assessments can be used to identify and evaluate information on hydrology, stressors, identify mitigation goals, and set resource management priorities, as well as consider secondary and cumulative impacts to the area.  
[http://files.hawaii.gov/dbedt/op/czm/initiative/stomwater\\_imapct/final\\_storm water impact assessments guidance.pdf](http://files.hawaii.gov/dbedt/op/czm/initiative/stomwater_imapct/final_storm_water_impact_assessments_guidance.pdf)

2. We acknowledge that Section 2.2.6, pages 2-47 to 2-48 of the EISPN states that the study area is within the boundary of the Special Management Area (SMA) as delineated by the City and County of Honolulu (City).

Furthermore, Section 6.6.3, page 6-6 states that the Draft EIS will discuss the project's conformance with the policies and objectives of the City's SMA ordinance, and the need for additional SMA use permits for proposed activities.

3. Section 6.1.3, page 6-1 lists the potential need for a U.S. Army Corps of Engineers Section 404, Clean Water Act (CWA) permit due to the construction of stream crossings and/or a boardwalk through the wetland areas. Furthermore, Section 6.1.7, page 6-3 lists the need for a Federal Consistency Review for this project.

We acknowledge that the need for a CWA, Section 404 permit may necessitate a Federal Consistency review. The national Coastal Zone Management Act requires that Federal actions be consistent with approved state coastal program enforceable policies. Federal actions are defined by this Act as activities performed by a Federal agency; activities requiring federal permits or approvals; or State and local government projects that receive Federal financial assistance.

OP is the lead state agency with the authority to conduct Federal Consistency review. Please contact our office on the policies and procedures for said review.

4. Section 6.2.4, page 6-5 of the EISPN states that the objectives and policies of the Hawaii Coastal Zone Management (CZM) program will be addressed in the Draft EIS.

Hawaii Revised Statutes (HRS) § 205A-5(b) requires all state and county agencies to enforce the CZM objectives and policies. The Draft EIS should include an assessment as to how the Kawainui-Hamakua Master Plan and its proposed actions conform to the Hawaii CZM objectives and its supporting policies set forth in HRS § 205A-2. The assessment on compliance with HRS § 205A-2 is an important component for satisfying the requirements of HRS Chapter 343.

5. Chapter 6 (Conformance with Land Use Plans and Policies), pages 6-1 to 6-9 of the EISPN, omitted the project's need to conform with goals, objectives policies, and priority guidelines of the Hawaii State Planning Act. Pursuant to HAR § 11-200-17(h) – relationship of the proposed action to land use plans, policies, and controls for the affected area – this project must demonstrate that it is consistent with a number of state environmental, social, and economic goals and policies for land use.

OP provides technical assistance to state and county agencies in administering the statewide planning system found in HRS Chapter 226, (the Hawaii State Planning Act). The Hawaii State Planning Act provides goals, objectives, policies, and priority guidelines for growth, development, and the allocation of resources throughout the



Mr. Ronald A. Sato  
October 24, 2016  
Page 4

State. The Hawaii State Planning Act includes diverse objectives and policies of state interest including but not limited to the economy, agriculture, the visitor industry, federal expenditure, the physical environment, facility systems, socio-cultural advancement, climate change adaptation, and sustainability.

The Draft EIS should contain an analysis on the project's ability to meet all of the goals, objectives, policies, and priority guidelines of the Hawaii State Planning Act or clarify where it is in conflict with them. If any of the goals, objectives, policies, or priority guidelines are not applicable to the project, the Draft EIS should affirmatively state such determination. The most efficient method is summarizing these in tabular form, followed by discussion paragraphs.

We have no further comments at this time. If you have any questions, please call Joshua Hekeia of our office at (808) 587-2845.

Sincerely,

A handwritten signature in black ink, appearing to read 'Leo R. Asuncion', with a stylized flourish at the end.

Leo R. Asuncion  
Director

c: Ms. Zarigold Zoll, Oahu Forestry and Wildlife Manager, Division of Forestry and Wildlife,  
Department of Land & Natural Resources



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT

ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. Leo Ascuncion, Director  
Office of Planning  
State of Hawai'i  
235 South Beretania Street, 6<sup>th</sup> Floor  
Honolulu, Hawai'i 96813

Dear Mr. Asuncion:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. Our responses are numbered to correspond with your comments.

1. The Draft EIS addresses water quality and impacts from human use for a variety of resources areas. The growth of invasive vegetation within the wetland is an existing condition that is described, and the project's proposed restoration efforts are intended to address this. The Draft EIS addresses the beneficial effects of wetland restoration and upland reforestation improvements on water resources and quality.  
The Draft EIS includes a water quality study that will identify present water quality within the wetland. However, Kawainui and Hāmākua's wetlands serve as large scale drainage basins that receive storm water runoff from outside urban and agricultural areas of which DOFAW has no control or jurisdiction over those activities. Therefore, the Draft EIS qualitatively discusses the potential for pollutants entering these wetlands from outside areas, and how proposed restoration improvements would improve conditions within the project area.  
We appreciate the reference to available resources to assist with wetland restoration plans.
2. The Draft EIS discuss the project's conformance with the policies and objectives of the City's SMA ordinance and the need for additional SMA use permits for proposed activities.
3. Coordination with the U.S. Department of Army, Corps of Engineers would be conducted to identify applicable permits required. Such permits would be applied for during the design phase as improvements are implemented. Federal consistency review determinations would be coordinated with addressed with your agency at that time.

4. The Draft EIS includes discussion of the project's general consistency with Coastal Zone Management Act objectives and policies.
5. The Draft EIS includes a section discussing the project's consistency with pertinent and non-applicable goals, objectives, policies and priority guidelines of the Hawai'i State Planning Act.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

DAVID Y. IGE  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF DEFENSE**  
OFFICE OF THE ADJUTANT GENERAL  
3949 DIAMOND HEAD ROAD  
HONOLULU, HAWAII 96816-4495

October 3, 2016

ARTHUR J. LOGAN  
MAJOR GENERAL  
ADJUTANT GENERAL

KENNETH S. HARA  
BRIGADIER GENERAL  
DEPUTY ADJUTANT GENERAL



HHF Planners  
Pacific Guardian Center  
733 Bishop Street, Suite 2590  
Honolulu, Hawaii 96813

Attention: Mr. Ronald Sato, AICP, Senior Associate

Subject: Environmental Impact Statement Preparation Notice (EISPN) for Kawainui-Hamakua Master Plan Project, Koolaupoko District, Oahu, Hawaii, TMK: (1) 4-2-003: 017 and 030; 4-2-013: 005, 010, 022 and 038; 4-2-016: 002 and 015; 4-2-017: 020; 4-2-103: 018 and 035; and 4-4-034: 025

Dear Ms. Yuen:

Thank you for the opportunity to comment on the above project. The State of Hawaii Department of Defense has no comments to offer relative to the project.

If you have any questions or concerns, please have your staff contact Mr. Lloyd Maki, Assistant Chief Engineering Officer at (808) 733-4250.

Sincerely,

A handwritten signature in blue ink, appearing to read "Neal S. Mitsuyoshi", with a long, sweeping horizontal line extending to the right.

NEAL S. MITSUYOSHI  
Colonel, Hawaii National Guard  
Chief Engineering Officer

c: Ms. Havinne Okamura, Hawaii Emergency Management Agency  
Ms. Marigold Zoll, Department of Land and Natural Resources, Division of Forestry and Wildlife



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
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ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Colonel Neal S. Mitsuyoshi  
Chief Engineering Officer, Hawai'i National Guard  
Office of the Adjutant General  
Department of Defense  
State of Hawai'i  
3949 Diamond Head Road  
Honolulu, Hawai'i 96816-4495

Dear Colonel Mitsuyoshi:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 3, 2016 on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We note that the Department of Defense has no comments to offer at this time.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Smith", with a small "for" written below it.

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

DAVID Y. IGE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P. O. BOX 3378  
HONOLULU, HI 96801-3378

VIRGINIA PRESSLER, M.D.  
DIRECTOR OF HEALTH

In reply, please refer to:  
EMD/CWB

09042PMHK.16

September 28, 2016

Mr. Ronald A. Sato, AICP, Senior Associate  
HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, Hawaii 96813



Dear Mr. Sato:

**SUBJECT: Comments on the Environmental Impact Statement Preparation  
Notice for the Kawainui-Hamakua Master Plan Project  
Koolaupoko District, Island of Oahu, Hawaii  
TMKs: (1) 4-2-003:017 and 030; (1) 4-2-013:005, 010, 022, and 038;  
(1) 4-2-016:002 and 015; (1) 4-2-017:020; (1) 4-2-103:018 and 035; and  
(1) 4-4-034:025**

The Department of Health (DOH), Clean Water Branch (CWB), acknowledges receipt of your letter, dated September 21, 2016, requesting comments on the subject project. The DOH-CWB has reviewed the document and offers these comments. Please note that our review is based solely on the information provided in the subject document and its compliance with the Hawaii Administrative Rules (HAR), Chapters 11-54 and 11-55. The State of Hawaii, Department of Land and Natural Resources, Division of Forestry and Wildlife (Applicant) may be responsible for fulfilling additional requirements related to our program. We recommend that you also read our standard comments on our website at:

<http://health.hawaii.gov/epo/files/2013/05/Clean-Water-Branch-Std-Comments.pdf>.

1. Any project and its potential impacts to State waters must meet the following criteria:
  - a. Antidegradation policy (HAR, Section 11-54-1.1), which requires that the existing uses and the level of water quality necessary to protect the existing uses of the receiving State water be maintained and protected.
  - b. Designated uses (HAR, Section 11-54-3), as determined by the classification of the receiving State waters.
  - c. Water quality criteria (HAR, Sections 11-54-4 through 11-54-8).

2. The Applicant may be required to obtain National Pollutant Discharge Elimination System (NPDES) permit coverage for discharges of wastewater, including storm water runoff, into State surface waters (HAR, Chapter 11-55).

For NPDES general permit coverage, a Notice of Intent (NOI) form must be submitted at least 30 calendar days before the commencement of the discharge. An application for an NPDES individual permit must be submitted at least 180 calendar days before the commencement of the discharge. To request NPDES permit coverage, your Applicant must submit the applicable form ("CWB Individual NPDES Form" or "CWB NOI Form") through the e-Permitting Portal and the hard copy certification statement with the respective filing fee (\$1,000 for an individual NPDES permit or \$500 for a Notice of General Permit Coverage). Your Applicant can open the e-Permitting Portal website located at: <https://eha-cloud.doh.hawaii.gov/epermit/>. They will be asked to do a one-time registration to obtain your login and password. After they register, they can click on the Application Finder tool and locate the appropriate form. They can then follow the instructions to complete and submit the form.

3. If your Applicant's project involves work in, over, or under waters of the United States, it is highly recommended that you contact the Army Corp of Engineers, Regulatory Branch (Tel: 835-4303) regarding their permitting requirements.

Pursuant to Federal Water Pollution Control Act [commonly known as the "Clean Water Act" (CWA)], Paragraph 401(a)(1), a Section 401 Water Quality Certification (WQC) is required for "[a]ny applicant for Federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities, which may **result** in any discharge into the navigable waters..." (emphasis added). The term "discharge" is defined in CWA, Subsections 502(16), 502(12), and 502(6); Title 40 of the Code of Federal Regulations, Section 122.2; and HAR, Chapter 11-54.

4. Please note that all discharges related to the project construction or operation activities, whether or not NPDES permit coverage and/or Section 401 WQC are required, must comply with the State's Water Quality Standards. Noncompliance with water quality requirements contained in HAR, Chapter 11-54, and/or permitting requirements, specified in HAR, Chapter 11-55, may be subject to penalties of \$25,000 per day per violation.
5. It is the State's position that all projects must reduce, reuse, and recycle to protect, restore, and sustain water quality and beneficial uses of State waters. Project planning should:



- a. Treat storm water as a resource to be protected by integrating it into project planning and permitting. Storm water has long been recognized as a source of irrigation that will not deplete potable water resources. What is often overlooked is that storm water recharges ground water supplies and feeds streams and estuaries; to ensure that these water cycles are not disrupted, storm water cannot be relegated as a waste product of impervious surfaces. Any project planning must recognize storm water as an asset that sustains and protects natural ecosystems and traditional beneficial uses of State waters, like community beautification, beach going, swimming, and fishing. The approaches necessary to do so, including low impact development methods or ecological bio-engineering of drainage ways must be identified in the planning stages to allow designers opportunity to include those approaches up front, prior to seeking zoning, construction, or building permits.
- b. Clearly articulate the State's position on water quality and the beneficial uses of State waters. The plan should include statements regarding the implementation of methods to conserve natural resources (e.g., minimizing potable water for irrigation, gray water re-use options, energy conservation through smart design) and improve water quality.
- c. Consider storm water Best Management Practice (BMP) approaches that minimize the use of potable water for irrigation through storm water storage and reuse, percolate storm water to recharge groundwater to revitalize natural hydrology, and treat storm water which is to be discharged.
- d. Consider the use of green building practices, such as pervious pavement and landscaping with native vegetation, to improve water quality by reducing excessive runoff and the need for excessive fertilization, respectively.
- e. Identify opportunities for retrofitting or bio-engineering existing storm water infrastructure to restore ecological function while maintaining, or even enhancing, hydraulic capacity. Particular consideration should be given to areas prone to flooding, or where the infrastructure is aged and will need to be rehabilitated.

Mr. Ronald A. Sato  
September 28, 2016  
Page 4

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If you have any questions, please visit our website at:  
<http://health.hawaii.gov/cwb>, or contact the Engineering Section, CWB, at (808) 586-4309.

Sincerely,

*Darryl Lum*

(For) ALEC WONG, P.E., CHIEF  
Clean Water Branch

MHK

c: Ms. Marigold Zoll, DLNR, DOFAW [via e-mail [Marigold.S.Zoll@hawaii.gov](mailto:Marigold.S.Zoll@hawaii.gov) only]  
DOH-EPO [via e-mail [Noella.Narimatsu@doh.hawaii.gov](mailto:Noella.Narimatsu@doh.hawaii.gov) only]

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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ENGINEERING

FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. Alec Wong, P.E., Chief  
Clean Water Branch  
Department of Health  
State of Hawai'i  
P.O. Box 3378  
Honolulu, Hawai'i 96801-3378

Dear Mr. Wong:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated September 28, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. Your branch's standard comments have been reviewed, and our responses are numbered to correspond to your comments.

1. The Draft EIS addresses the water classification, water quality, and antidegradation policy identified, and the project's impact relative to these criteria.
2. NPDES permit coverage will be obtained if discharge of wastewater or stormwater is anticipated to occur into State surface waters. Because the project area includes a wildlife sanctuary, an Individual NPDES permit would be obtained.
3. Coordination of this project with the U.S. Department of Army, Corps of Engineers, Regulatory Branch would continue to occur to address permit requirements. Restoration work proposed within Kawainui and Hāmākua's wetlands are not tidally influenced, and would not result in a discharge into regulatory waters. Some proposed improvements (e.g., boardwalks) will involve work within jurisdictional waters (wetland), and a permit would be obtained, which includes compliance with Section 401 Water Quality Certification requirements.
4. We acknowledge that noncompliance with State water quality requirements and/or permitting requirements may be subject to penalties of \$25,000 per day per violation.



5. Proposed site improvements and activities would be consistent with the State's goal to reduce, reuse and recycle to protect, restore and sustain water quality and beneficial uses of State waters. Site improvements and upland reforestation plans include efforts to detain stormwater runoff to allow infiltration before entering the wetland. The State's position on water quality is addressed in the Draft EIS, and low-impact design (LID) elements, such as bioswales, are planned as part of facility developments (e.g. education center). Other LID elements planned include rain catchment systems, pervious surfaces for parking areas, Best Management Practices during construction, etc.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

DAVID Y. IGE  
GOVERNOR OF HAWAII



VIRGINIA PRESSLER, M.D.  
DIRECTOR OF HEALTH

**STATE OF HAWAII**  
**DEPARTMENT OF HEALTH**  
P. O. BOX 3378  
HONOLULU, HI 96801-3378

In reply, please refer to:  
File:

EPO 16-333

October 6, 2016

Mr. Ronald Sato, AICP  
HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, Hawaii 96813  
Email: [rsato@hhf.com](mailto:rsato@hhf.com)

Dear Mr. Sato:

**SUBJECT: Environmental Impact Statement Preparation Notice (EISP) for Kawainui-Hamakua Master Plan Project, Oahu**  
**TMK: (1) 4-2-003: 017 and 030; 4-2-013: 005, 010, 022 and 038; 4-2-016: 002 and 015; 4-2-017: 020; 4-2-103: 018 and 035; and 4-4-034: 025**

The Department of Health (DOH), Environmental Planning Office (EPO), acknowledges receipt of your EISP to our office via the OEQC link:

[http://oeqc.doh.hawaii.gov/Shared%20Documents/EA\\_and\\_EIS\\_Online\\_Library/Oahu/2010s/2016-09-23-OA-5B-EISP-Kawainui-Hamakua-Master-Plan.pdf](http://oeqc.doh.hawaii.gov/Shared%20Documents/EA_and_EIS_Online_Library/Oahu/2010s/2016-09-23-OA-5B-EISP-Kawainui-Hamakua-Master-Plan.pdf)

We understand from the OEQC publication form project summary that the State of Hawai'i Department of Land and Natural Resources (DLNR), Division of Forestry and Wildlife (DOFAW), in partnership with the Division of State Parks (DSP), is preparing an Environmental Impact Statement (EIS) for the Kawainui-Hamakua Master Plan Project. The State-owned project area encompasses 986 acres in Kailua, on the island of Oahu. The project area includes the Kawainui wetland and upland areas, Hamakua Marsh Wildlife Sanctuary, and Pu'uoeahu hillside.

Proposed improvements are needed to support DOFAW and DSP's efforts in achieving their agency missions, to sustain and enhance the natural and cultural resources associated with this area, and increase public access and outdoor recreational opportunities. A master plan is being prepared to serve as a guide for programming and implementing future improvements.

Proposed improvements fall into three major categories: 1) natural resource management; 2) cultural resource management; and 3) educational and recreational initiatives. Natural resource management include wetland restoration, upland reforestation, storm water improvements, and support for management operations. Cultural resource initiatives would support traditional Hawaiian cultural practices in the area. Educational and recreational improvements would increase public access, provide passive outdoor recreational use, and support educational programs and stewardship.

In the development and implementation of all projects, EPO strongly recommends regular review of State and Federal environmental health land use guidance. State standard comments and available strategies to support sustainable and healthy design are provided at: <http://health.hawaii.gov/epo/landuse>. Projects are required to adhere to all applicable standard comments. EPO has recently updated the environmental Geographic Information System (GIS) website page. It now compiles various maps and viewers from our environmental health programs.



Mr. Ronald Sato, AICP  
Page 2  
October 6, 2016

The eGIS website page is continually updated so please visit it regularly at: <http://health.hawaii.gov/epo/egis>. EPO also encourages you to examine and utilize the Hawaii Environmental Health Portal at: <https://eha-cloud.doh.hawaii.gov>. This site provides links to our e-Permitting Portal, Environmental Health Warehouse, Groundwater Contamination Viewer, Hawaii Emergency Response Exchange, Hawaii State and Local Emission Inventory System, Water Pollution Control Viewer, Water Quality Data, Warnings, Advisories and Postings.

We suggest you review the requirements of the Clean Water Branch (HAR, Section 11-54-1.1, -3, 4-8) and/or the National Pollutant Discharge Elimination System (NPDES) permit (HAR, Chapter 11-55) at: <http://health.hawaii.gov/cwb>. If you have any questions, please contact the Clean Water Branch, Engineering Section at (808) 586-4309 or [cleanwaterbranch@doh.hawaii.gov](mailto:cleanwaterbranch@doh.hawaii.gov). If your project involves waters of the U.S., it is highly recommended that you contact the Army Corps of Engineers, Regulatory Branch at: (808) 835-4303.

You may also wish to review the draft Office of Environmental Quality Control (OEQC) viewer at: <http://eha-web.doh.hawaii.gov/oeqc-viewer>. This viewer geographically shows where some previous Hawaii Environmental Policy Act (HEPA) {Hawaii Revised Statutes, Chapter 343} documents have been prepared.

In order to better protect public health and the environment, the U.S. Environmental Protection Agency (EPA) has developed a new environmental justice (EJ) mapping and screening tool called EJSCREEN. It is based on nationally consistent data and combines environmental and demographic indicators in maps and reports. EPO encourages you to explore, launch and utilize this powerful tool in planning your project. The EPA EJSCREEN tool is available at: <http://www.epa.gov/ejscreen>.

We request that you utilize all of this information on your proposed project to increase sustainable, innovative, inspirational, transparent and healthy design. Thank you for the opportunity to comment.

Mahalo nui loa,



Laura Leialoha Phillips McIntyre, AICP  
Program Manager, Environmental Planning Office

LM:nn

c: Marigold Zoll, DLNR, DOFAW {via email: [Marigold.S.Zoll@hawaii.gov](mailto:Marigold.S.Zoll@hawaii.gov)}  
DOH: CWB {via email only}



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING

FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Laura Leialoha Phillips McIntyre, AICP, Program Manager  
Environmental Planning Office  
Department of Health  
State of Hawai'i  
P.O. Box 3378  
Honolulu, Hawai'i 96801-3378

Dear Ms. McIntyre:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 6, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We appreciate the URL links to the State standard comments relating to environmental health programs and the information on applicable requirements, regulations, and data sources. The State DLNR, Division of Forestry and Wildlife, Division of State Parks, and non-profit organizations implementing improvements will comply with applicable State and Federal environmental regulations and guidance. It is our intent to incorporate sustainable, innovative, inspirational, transparent and healthy design, and to implement improvements that contribute to the health and well-being of our State.

Federal and State land use guidance documents have been reviewed for this project and the Draft EIS includes discussion of pertinent plans and policies, including federal policies. State standard comments from branches at the website referred to in your letter have been reviewed and will be more appropriately addressed as part of the project's design phase.

Thank you for the information provided on the updated Geographic Information System website, the Hawai'i Environmental Health Portal, and OEQC's website. Appropriate coordination will be conducted with the Clean Water Branch to address agency requirements and necessary permits (e.g. 401 Water Quality Certification). Thank you also for information on the U.S. Environmental Protection Agency's website on environmental justice mapping.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Smith", with a small blue mark to the left.

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

DAVID Y. IGE  
GOVERNOR OF HAWAII



VIRGINIA PRESSLER, M.D.  
DIRECTOR OF HEALTH

**STATE OF HAWAII**  
**DEPARTMENT OF HEALTH**  
P. O. BOX 3378  
HONOLULU, HI 96801-3378

In reply, please refer to:  
File:

LUD – 1 4 2 003 017 etc EISPN  
Kawainui Hamakua Master Plan-ID3014

September 30, 2016

Mr. Ronald Sato, AICP, Senior Planner  
HHF Planners  
Pacific Guardian Center  
733 Bishop Street Suite 2590  
Honolulu, Hawaii 96813  
Email: [rsato@hhf.com](mailto:rsato@hhf.com)

Dear Mr. Sato:

Subject: Environmental Impact Statement Preparation Notice (EISPN)  
Kawainui Hamakua Master Plan Project, Koolaupoko District, Oahu, Hawaii  
TMK (1) 4-2-003: 017 and 030; 4-2-013: 005, 010, 022 and 038; 4-2-016: 002  
and 015; 4-2-017: 020; 4-2-103: 018 and 035; and 4-4-034: 025

Thank you for allowing us the opportunity to provide comments on the subject project in which we have the following comments to offer.

There were several facilities that were identified in the master plan, such as a proposed education center at Nā Pōhaku, comfort stations, and offices that would require sewer service that would be later addressed in the Draft EIS. Please be informed that wastewater systems will be required to be designed and constructed in accordance with Hawaii Administrative Rules, Chapter 11-62, if a connection to the City and County of Honolulu's sewer system is not available for this project.

In addition, proposed wastewater systems for the development may have to include design considerations to address any effects associated with the construction of and/or discharges from the wastewater systems to any public trust, Native Hawaiian resources or the exercise of traditional cultural practices.

Should you have any questions, please call Mark Tomomitsu of my staff at 586-4294.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sina Pruder".

SINA PRUDER, P.E., CHIEF  
Wastewater Branch

LM/MST:sp

c: EPO (via email)



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Sina Pruder, P.E., Chief  
Wastewater Branch  
State of Hawai'i Department of Health  
P.O. Box 3378  
Honolulu, Hawai'i 96801-3378

Dear Ms. Pruder:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated September 30, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

All wastewater systems will be designed and constructed in accordance with HAR Chapter 11-62, Wastewater Systems, if not connected to the City's existing sewer system. Discharges from individual wastewater systems would not affect public trust lands, Native Hawaiian resources, or areas that currently include traditional cultural practices. The Draft EIS conceptually addresses impacts from these wastewater systems, but more specifics would be developed during the design phase as improvements are implemented.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Smith", is written over a horizontal line.

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



# OFFICE OF ENVIRONMENTAL QUALITY CONTROL

DEPARTMENT OF HEALTH | 235 South Beretania Street, Suite 702, Honolulu, HI 96813 | [oeqchawaii@doh.hawaii.gov](mailto:oeqchawaii@doh.hawaii.gov)

DAVID Y. IGE  
GOVERNOR

SCOTT GLENN  
DIRECTOR

(808) 586-4185

October 10, 2016

Ms. Suzanne D. Case, Chairperson  
State of Hawaii, Department of Land and Natural Resources  
P.O. Box 621  
Honolulu, HI 96809

Dear Chairperson Case:

Having reviewed your September 2016, Environmental Impact Statement Preparation Notice for the Kawainui-Hāmākua Master Plan, Tax Map Keys: 4-2-003: 017, and 030; 4-2-013: 005, 010, 022, and 038; 4-2-016:002, and 015; 4-2-017: 020; 4-2-103: 018, and 035; 4-4-034: 025, we offer the following comments for your consideration.

## 1. Climate Change Considerations

The OEQC recommends considering climate change for this and all future projects. Changing weather patterns in the Pacific are projected to result in enhanced impacts from tropical storm activity, and/or localized increased precipitation severity, such as periodic extreme heavy downpours. More information can be found at <https://www3.epa.gov/climatechange/impacts/islands.html>. Please also discuss the potential direct, indirect, and cumulative impacts (such as changes in freshwater salinity) of sea level rise on the project and environs and how this may affect management of the natural and cultural resources as well as planned activities. We note that the EISPN does not address climate change or the potential exposure of the facility to natural hazards; please include appropriate treatment of these important topics in the project's Draft EIS.

## 2. Nonpoint Source Pollution

Please discuss the effects of nonpoint source pollution (i.e., runoff consisting of substances such as fertilizers, pesticides, bacteria from animal wastes, oil and grease) and its direct, indirect, and cumulative impacts in the context of the master plan.

If you have any questions, please contact Leslie Segundo at (808) 586-4185.

Sincerely,

Scott Glenn, Director



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING

FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. Scott Glenn, Director  
Office of Environmental Quality Control  
State of Hawai'i Department of Health  
235 South Beretania Street, Suite 702  
Honolulu, Hawai'i 96813

Dear Mr. Glenn:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 10, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. Our responses are numbered to correspond with your comments.

1. The DEIS includes consideration of climate change in the area of sea level rise and includes an assessment impacts to the project. Based upon Geographic Information System (GIS) data from NOAA's web viewer, a 3-foot projected sea level rise would only affect low lying areas along the levee, wetlands at Wai'auia, and increase water levels at Hāmākua's wetland. Therefore, project improvements that are located within upland areas, such as the education center, would not be affected. The Draft EIS includes discussion of the effect of natural hazards on the project.
2. The Draft EIS discusses the effects of nonpoint source pollution, which includes a water quality study conducted.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Smith", is written over a circular stamp.

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



DAVID Y. IGE  
GOVERNOR OF HAWAII



SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT

**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

October 21, 2016

HHF Planners

Attention: Mr. Ronald A. Sato, AICP, Senior Associate  
733 Bishop Street; Suite 2590  
Honolulu, Hawaii 96813

via email: [rsato@hhf.com](mailto:rsato@hhf.com)

Dear Mr. Sato:

SUBJECT: Kawainui-Hamakua Master Plan Project

Thank you for the opportunity to review and comment on the subject matter. The Department of Land and Natural Resources' (DLNR) Land Division distributed or made available a copy of your report pertaining to the subject matter to DLNR Divisions for their review and comments.

At this time, enclosed are comments from the Land Division – Oahu District on the subject matter. Should you have any questions, please feel free to call Lydia Morikawa at 587-0410. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Russell Y. Tsuji".

Russell Y. Tsuji  
Land Administrator

Enclosure

cc: Central Files

Ms. Marigold Zoll, DLNR-DOFAW via email: [Marigold.S.Zoll@hawaii.gov](mailto:Marigold.S.Zoll@hawaii.gov)

DAVID Y. IGE  
GOVERNOR OF HAWAII



SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION

POST OFFICE BOX 621  
HONOLULU HAWAII 96809

September 27, 2016

MEMORANDUM

TO: R

**DLNR Agencies:**

- ☐ Div. of Aquatic Resources
- ☐ Div. of Boating & Ocean Recreation
- ☒ Engineering Division
- ☐ Div. of Forestry & Wildlife
- ☐ Div. of State Parks
- ☒ Commission on Water Resource Management
- ☐ Office of Conservation & Coastal Lands
- ☒ Land Division – Oahu District
- ☒ Historic Preservation

FROM: 70

Russell Y. Tsuji, Land Administrator

SUBJECT:

Kawainui-Hamakua Master Plan Project

LOCATION:

Koolaupoko District; Island of Oahu; TMK No. (1) 4-2-003:017 & 030; 4-2-013:005, 010, 022 & 038; 4-2-016:002 & 015; 4-2-017:020; 4-2-103:018 & 035; and 4-

4-034:025

APPLICANT:

DLNR – Division of Forestry and Wildlife

Transmitted for your review and comment is information on the above-referenced project. We would appreciate your comments on this project. Please submit any comments by **October 20, 2016**.

The DEA can be found on-line at: <http://health.hawaii.gov/oegc/> (Click on the Current Environmental Notice under Quick Links on the right.)

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Lydia Morikawa at 587-0410. Thank you.

Attachments

- ☐ We have no objections.
- ☒ We have no comments.
- ☐ Comments are attached.

Signed:

Barry Cheung

Print Name:

Barry Cheung

Date:

9/28/16

cc: Central Files

DAVID Y. IGE  
GOVERNOR OF HAWAII



SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT

**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**  
**LAND DIVISION**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

October 25, 2016

HHF Planners

Attention: Mr. Ronald A. Sato, AICP, Senior Associate  
733 Bishop Street; Suite 2590  
Honolulu, Hawaii 96813

via email: [rsato@hhf.com](mailto:rsato@hhf.com)

Dear Mr. Sato:

SUBJECT: Kawainui-Hamakua Master Plan Project

Thank you for the opportunity to review and comment on the subject matter. In addition to the comments previously sent you on October 21, 2016, enclosed are comments from the Commission on Water Resource Management on the subject matter. Should you have any questions, please feel free to call Lydia Morikawa at 587-0410. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Russell Y. Tsuji".

Russell Y. Tsuji  
Land Administrator

Enclosure(s)

cc: Central Files

Ms. Marigold Zoll, DLNR-DOFAW via email: [Marigold.S.Zoll@hawaii.gov](mailto:Marigold.S.Zoll@hawaii.gov)





STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

September 27, 2016

MEMORANDUM

TO:

**DLNR Agencies:**

- ☐ Div. of Aquatic Resources
- ☐ Div. of Boating & Ocean Recreation
- ☒ Engineering Division
- ☐ Div. of Forestry & Wildlife
- ☐ Div. of State Parks
- ☒ Commission on Water Resource Management
- ☐ Office of Conservation & Coastal Lands
- ☒ Land Division – Oahu District
- ☒ Historic Preservation

FROM:

Russell Y. Tsuji, Land Administrator

SUBJECT:

Kawainui-Hamakua Master Plan Project

LOCATION:

Koolaupoko District; Island of Oahu; TMK No. (1) 4-2-003:017 & 030; 4-2-013:005, 010, 022 & 038; 4-2-016:002 & 015; 4-2-017:020; 4-2-103:018 & 035; and 4-

4-034:025

APPLICANT:

DLNR – Division of Forestry and Wildlife

Transmitted for your review and comment is information on the above-referenced project. We would appreciate your comments on this project. Please submit any comments by **October 20, 2016**.

The DEA can be found on-line at: <http://health.hawaii.gov/oeqc/> (Click on the Current Environmental Notice under Quick Links on the right.)

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Lydia Morikawa at 587-0410. Thank you.

Attachments

- ( ) We have no objections.
- ( ) We have no comments.
- ( x ) Comments are attached.

Signed: /s/ Jeffrey T. Pearson, P.E.

Print Name: Deputy Director

Date: October 21, 2016

cc: Central Files

RECEIVED  
COMMISSION ON WATER  
RESOURCE MANAGEMENT  
2016 OCT 24 AM 10:57  
DEPT. OF LAND &  
NATURAL RESOURCES  
STATE OF HAWAII

RFD. 4509.3  
142751



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
**COMMISSION ON WATER RESOURCE MANAGEMENT**  
P.O. BOX 621  
HONOLULU, HAWAII 96809

October 21, 2016

REF: RFD.4509.3

TO: Mr. Russell Tsuji, Administrator  
State of Hawaii, DLNR Land Division Oahu, DLNR-LD

FROM: Jeffrey T. Pearson, P.E., Deputy Director  
Commission on Water Resource Management *[Signature]*

SUBJECT: Kawainui-Hamakua Master Plan Project

FILE NO.: RFD.4509.3  
TMK NO.: (1) 4-2-003:017 & 030; 4-2-013:005, 010, 022 & 038; 4-2-016:002 & 015; 4-2-017:020; 4-2-103:018 & 035; and 4-4-034:025

Thank you for the opportunity to review the subject document. The Commission on Water Resource Management (CWRM) is the agency responsible for administering the State Water Code (Code). Under the Code, all waters of the State are held in trust for the benefit of the citizens of the State, therefore all water use is subject to legally protected water rights. CWRM strongly promotes the efficient use of Hawaii's water resources through conservation measures and appropriate resource management. For more information, please refer to the State Water Code, Chapter 174C, Hawaii Revised Statutes, and Hawaii Administrative Rules, Chapters 13-167 to 13-171. These documents are available via the Internet at <http://dlnr.hawaii.gov/cwrn>.

Our comments related to water resources are checked off below.

- ☐ 1. We recommend coordination with the county to incorporate this project into the county's Water Use and Development Plan. Please contact the respective Planning Department and/or Department of Water Supply for further information.
- ☐ 2. We recommend coordination with the Engineering Division of the State Department of Land and Natural Resources to incorporate this project into the State Water Projects Plan.
- ☐ 3. We recommend coordination with the Hawaii Department of Agriculture (HDOA) to incorporate the reclassification of agricultural zoned land and the redistribution of agricultural resources into the State's Agricultural Water Use and Development Plan (AWUDP). Please contact the HDOA for more information.
- ☐ 4. We recommend that water efficient fixtures be installed and water efficient practices implemented throughout the development to reduce the increased demand on the area's freshwater resources. Reducing the water usage of a home or building may earn credit towards Leadership in Energy and Environmental Design (LEED) certification. More information on LEED certification is available at <http://www.usgbc.org/leed>. A listing of fixtures certified by the EAP as having high water efficiency can be found at <http://www.epa.gov/watersense>.
- ☐ 5. We recommend the use of best management practices (BMP) for stormwater management to minimize the impact of the project to the existing area's hydrology while maintaining on-site infiltration and preventing polluted runoff from storm events. Stormwater management BMPs may earn credit toward LEED certification. More information on stormwater BMPs can be found at <http://planning.hawaii.gov/czm/initiatives/low-impact-development/>
- ☐ 6. We recommend the use of alternative water sources, wherever practicable.
- ☐ 7. We recommend participating in the Hawaii Green Business Program, that assists and recognizes businesses that strive to operate in an environmentally and socially responsible manner. The program description can be found online at <http://energy.hawaii.gov/green-business-program>.
- ☐ 8. We recommend adopting landscape irrigation conservation best management practices endorsed by the Landscape Industry Council of Hawaii. These practices can be found online at

- [http://www.hawaiiscape.com/wp-content/uploads/2013/04/LICH\\_Irrigation\\_Conservation\\_BMPs.pdf](http://www.hawaiiscape.com/wp-content/uploads/2013/04/LICH_Irrigation_Conservation_BMPs.pdf).
- ☐ 9. There may be the potential for ground or surface water degradation/contamination and recommend that approvals for this project be conditioned upon a review by the State Department of Health and the developer's acceptance of any resulting requirements related to water quality.
  - ☐ 10. The proposed water supply source for the project is located in a designated water management area, and a Water Use Permit is required prior to use of water. The Water Use Permit may be conditioned on the requirement to use dual line water supply systems for new industrial and commercial developments.
  - ☐ 11. A Well Construction Permit(s) is (are) are required before the commencement of any well construction work.
  - ☐ 12. A Pump Installation Permit(s) is (are) required before ground water is developed as a source of supply for the project.
  - ☐ 13. There is (are) well(s) located on or adjacent to this project. If wells are not planned to be used and will be affected by any new construction, they must be properly abandoned and sealed. A permit for well abandonment must be obtained.
  - ☐ 14. Ground-water withdrawals from this project may affect streamflows, which may require an instream flow standard amendment.
  - ☒ 15. A Stream Channel Alteration Permit(s) is (are) required before any alteration can be made to the bed and/or banks of a steam channel.
  - ☐ 16. A Stream Diversion Works Permit(s) is (are) required before any stream diversion works is constructed or altered.
  - ☐ 17. A Petition to Amend the Interim Instream Flow Standard is required for any new or expanded diversion(s) of surface water.
  - ☐ 18. The planned source of water for this project has not been identified in this report. Therefore, we cannot determine what permits or petitions are required from our office, or whether there are potential impacts to water resources.
- ☐ OTHER:

If you have any questions, please contact Dean Uyeno of the Commission staff at 587-0234.



DAVID Y. IGE  
GOVERNOR OF HAWAII



SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT

**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**  
**LAND DIVISION**

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

October 28, 2016

HHF Planners  
Attention: Mr. Ronald A. Sato, AICP, Senior Associate  
733 Bishop Street; Suite 2590  
Honolulu, Hawaii 96813

via email: [rsato@hhf.com](mailto:rsato@hhf.com)

Dear Mr. Sato:

SUBJECT: Kawainui-Hamakua Master Plan Project

Thank you for the opportunity to review and comment on the subject matter. In addition to the comments previously sent you on October 21 and October 25, 2016, enclosed are comments from the Engineering Division on the subject matter. Should you have any questions, please feel free to call Lydia Morikawa at 587-0410. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Russell Y. Tsuji".

Russell Y. Tsuji  
Land Administrator

Enclosure(s)

cc: Central Files  
Ms. Marigold Zoll, DLNR-DOFAW via email: [Marigold.S.Zoll@hawaii.gov](mailto:Marigold.S.Zoll@hawaii.gov)



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION

POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

September 27, 2016

MEMORANDUM

~~TO:~~

**DLNR Agencies:**

- ☐ Div. of Aquatic Resources
- ☐ Div. of Boating & Ocean Recreation
- ☒ **Engineering Division**
- ☐ Div. of Forestry & Wildlife
- ☐ Div. of State Parks
- ☒ Commission on Water Resource Management
- ☐ Office of Conservation & Coastal Lands
- ☒ Land Division – Oahu District
- ☒ Historic Preservation

**FROM:**

~~FROM:~~ **TO:**

Russell Y. Tsuji, Land Administrator

**SUBJECT:**

Kawainui-Hamakua Master Plan Project

**LOCATION:**

Koolaupoko District; Island of Oahu; TMK No. (1) 4-2-003:017 & 030; 4-2-013:005, 010, 022 & 038; 4-2-016:002 & 015; 4-2-017:020; 4-2-103:018 & 035; and 4-

4-034:025

**APPLICANT:**

DLNR – Division of Forestry and Wildlife

Transmitted for your review and comment is information on the above-referenced project. We would appreciate your comments on this project. Please submit any comments by **October 20, 2016**.

The DEA can be found on-line at: <http://health.hawaii.gov/oeqc/> (Click on the Current Environmental Notice under Quick Links on the right.)

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Lydia Morikawa at 587-0410. Thank you.

**Attachments**

- ☐ We have no objections.
- ☐ We have no comments.
- ☒ Comments are attached.

Signed:

Print Name:

Carty S. Chang, Chief Engineer

Date:

OCT 3 - 2016

cc: Central Files

16 SEP 27 PM 1:11 ENGINEERING

**DEPARTMENT OF LAND AND NATURAL RESOURCES  
ENGINEERING DIVISION**

**To: Land Division**

**Ref: Kawaiinui-Hamakua Master Plan Project**

**COMMENTS**

The rules and regulations of the National Flood Insurance Program (NFIP), Title 44 of the Code of Federal Regulations (44CFR), are in effect when development falls within a designated Flood Hazard.

The owner or the project property and/or their representative is responsible to research the Flood Hazard Zone designation for the project. Flood Hazard Zone designations can be found using the Flood Insurance Rate Map (FIRM), which can be accessed through the Flood Hazard Assessment Tool (FHAT) (<http://gis.hawaiiinfip.org/FHAT>).

National Flood Insurance Program establishes the rules and regulations of the NFIP - Title 44 of the Code of Federal Regulations (44CFR). The NFIP Zone X is a designation where there is no perceived flood impact. Therefore, the NFIP does not regulate any development within a Zone X designation.

Be advised that 44CFR reflects the minimum standards as set forth by the NFIP. Local community flood ordinances may take precedence over the NFIP standards as local designations prove to be more restrictive. If there are questions regarding the local flood ordinances, please contact the applicable County NFIP Coordinators below:

- Oahu: City and County of Honolulu, Department of Planning and Permitting (808) 768-8098.
- Hawaii Island: County of Hawaii, Department of Public Works (808) 961-8327.
- Maui/Molokai/Lanai County of Maui, Department of Planning (808) 270-7253.
- Kauai: County of Kauai, Department of Public Works (808) 241-4846.

**The applicant should include water demands and infrastructure required to meet project needs.** Please note that the projects within State lands requiring water service from their local Department/Board of Water Supply system will be required to pay a resource development charge, in addition to Water Facilities Charges for transmission and daily storage.

**The applicant is required to provide water demands and calculations to the Engineering Division so it can be included in the State Water Projects Plan Update projections.**

Signed: \_\_\_\_\_

CARTY S. CHANG, CHIEF ENGINEER

Date: OCT 3 - 2016



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
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FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. Russell Y. Tsuji, Administrator  
Land Division  
Department of Land and Natural Resources  
State of Hawai'i  
P.O. Box 621  
Honolulu, Hawai'i 96809

Dear Mr. Tsuji:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letters dated October 21, 25, and 28, 2016 transmitting State Department of Land and Natural Resources (DLNR) agency comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. We have the following responses to these comments divided by divisions.

**Land Division**

We acknowledge that the DLNR Land Division has no comments.

**Commission on Water Resources Management**

We are aware that a Stream Channel Alteration Permit (SCAP) is required before any alteration can be made to the bed and/or banks of a stream channel. The project does not intend to alter any bed or banks of existing streams.

**Engineering Division**

The flood hazard zone designations within the Kawainui-Hāmākua project area are discussed in the Draft EIS along with the project's effect on flood hazard areas. Flood Insurance Rate Map and the state's Flood Hazard Assessment Tool website were used to help identify existing flood designations.

We are also aware that the National Flood Insurance Program does not regulate development within the Zone X designation. The City's flood regulations under the Chapter 21A of the Revised Ordinances of Honolulu are also applicable to special flood hazard areas.

Information on the project's projected water demand and required infrastructure are included in the Draft EIS. Coordination with the City Board of Water Supply will also be conducted during the design phase of areas implemented to address applicable resource development and water facilities charges.

Actual water demands and calculations developed as part of design plans for improvements implemented will be provided to your department for inclusion in State Water Projects Plan Update. These water demands would reflect actual requirements based upon resulting building designs.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planner

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
**DEPARTMENT OF LAND AND NATURAL RESOURCES**  
**OFFICE OF CONSERVATION AND COASTAL LANDS**  
POST OFFICE BOX 621  
HONOLULU, HAWAII 96809

SUZANNE D. CASE  
CHIEF OF BUREAU  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSIONER OF WATER RESOURCE MANAGEMENT  
  
KEKOA KALUHIWA  
FIRST DEPUTY  
  
JEFFREY T. PEARSON  
DEPUTY DIRECTOR - WATER  
  
AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
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FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

REF:OCCL:LY

CORR: OA 17-76

**OCT - 6 2016**

Mr. Ronald Sato, Senior Associate  
HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, HI 96813

**SUBJECT:** Comments on the Environmental Impact Statement Preparation Notice (EISPN) for the Kawainui-Hāmākua Master Plan  
Ko'olaupoko District, O'ahu, Hawai'i  
Tax Map Key (TMK): (1) 4-2-003: 017 & 030; 4-2-013:005, 010, 022, & 038; 4-2-016: 002 & 015; 4-2-017: 020; 4-2-103:018 & 035; and 4-4-034:025

Dear Mr. Sato:

Thank you for providing us with the opportunity to review the subject document. We note that TMKs (1) 4-2-013: 005 & 022, 4-2-016:015, and 4-2-17:020 are located either partially or completely within the State Land Use Conservation District, Protective Subzone and the majority of TMK (1) 4-2-003:017 is located within the State Land Use Conservation District, General Subzone.

We also note that there are several Conservation District Use Permits (CDUP) that have been issued over the years for several of the subject properties, including: CDUP OA-318 for Regional Park Use at Kawainui Swamp, OA-1374 for the Kawainui Marsh Resource Assessment Use, OA-3016 for the Kawainui Community Park, OA-3068 for the Kawainui Marsh Improvements Project and CDUPs OA-3126 and OA-3278 for the Kawainui Gateway Park. We look forward to reviewing the Draft Environmental Impact Statement when it is available for public review and comment.

Should you have any questions regarding this correspondence, please contact Lauren Yasaka of our Office at (808) 587-0386.

Sincerely,

A handwritten signature in dark ink, appearing to read "Samuel J. Lemmo", is written over a large, stylized, circular flourish.

Samuel J. Lemmo, Administrator  
Office of Conservation and Coastal Lands

cc: ODLO  
DOFAW  
C&C, DPP



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. Samuel J. Lemmo, Administrator  
Office of Conservation and Coastal Lands  
Department of Land and Natural Resources  
State of Hawai'i  
P.O. Box 621  
Honolulu, Hawai'i 96809

Dear Mr. Lemmo:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 6, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We confirm that several of the project's parcels are either completely or partially situated within the State Conservation District, Protective Subzone. The majority of the Pu'uoeahu hillside (TMK 4-2-003: 017 is located within the General Subzone. In addition, a portion of the Wai'auia area is located with the Limited Subzone.

The Draft EIS includes a summary of the prior Conservation District Use Permits issued within the project area along with discussion of the project's consistency with Conservation District regulations.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Smith", with a stylized "DS" monogram.

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

## BOARD OF WATER SUPPLY

CITY AND COUNTY OF HONOLULU  
630 SOUTH BERETANIA STREET  
HONOLULU, HI 96843  
www.boardofwatersupply.com



October 28, 2016

KIRK CALDWELL, MAYOR

BRYAN P. ANDAYA, Chair  
ADAM C. WONG, Vice Chair  
DAVID C. HULIHEE  
KAPUA SPROAT  
KAY C. MATSUI

ROSS S. SASAMURA, Ex-Officio  
FORD N. FUCHIGAMI, Ex-Officio

ERNEST Y. W. LAU, P.E.  
Manager and Chief Engineer

ELLEN E. KITAMURA, P.E.  
Deputy Manager and Chief Engineer *ek*

Mr. Ronald A. Sato, AICP, Senior Associate  
HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, Hawaii 96809

Dear Mr. Sato:

Subject: Your Letter Dated September 21, 2016 Requesting Comments on the Environmental Impact Statement Preparation Notice in Regards to the Kawainui-Hamakua Master Plan Project in the Ko'olaupoko District, Oahu – Tax Map Key: 4-2-003:017 & 030; 4-2-013:005, 010, 022 & 038; 4-2-016:002 & 015; 4-2-017:020; 4-2-103:018 & 035; and 4-2-034:025

Thank you for the opportunity to comment on the proposed development.

The existing water system is adequate to accommodate the proposed project. However, please be advised that this information is based upon current data, and therefore, the Board of Water Supply (BWS) reserves the right to change any position or information stated herein up until the final approval of the building permit application. The final decision on the availability of water will be confirmed when the building permit application is submitted for approval.

When water is made available, the applicant will be required to pay our Water System Facilities Charges for resource development, transmission and daily storage.

The proposed project is subject to BWS Cross-Connection Control and Backflow Prevention requirements prior to the issuance of the Building Permit Applications.

The on-site fire protection requirements should be coordinated with the Fire Prevention Bureau of the Honolulu Fire Department.

If you have any questions, please contact Robert Chun, Project Review Branch of our Water Resources Division at 748-5443.

Very truly yours,

ERNEST Y. W. LAU, P.E.  
Manager and Chief Engineer

cc: Marigold Zoll, Division of Forestry and Wildlife



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
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STATE PARKS

NOV 24 2017

Mr. Ernest Y.W. Lau, P.E., Manager and Chief Engineer  
Board of Water Supply  
City and County of Honolulu  
630 South Beretania Street  
Honolulu, Hawai'i 96843

Dear Mr. Lau:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 28, 2016 providing comments on the Environmental Impact Statement Preparation Notice for the subject project.

We acknowledge that the Board of Water Supply's (BWS) indicates that their existing water system is adequate to accommodate the improvements proposed for this project. Final decisions regarding water availability will be confirmed as part of building permit applications. We acknowledge that the Water System Facilities Charges for resource development, transmission, and daily storage must be paid when water is made available.

Applicable improvements will also comply with Cross-Connection Control and Backflow Prevention requirements prior to issuance of building permits. Necessary coordination with the Honolulu Fire Department would be conducted by entity constructing building improvements to ensure on-site fire protection requirements are met.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Smith", is written over a blue ink stamp.

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 7<sup>TH</sup> FLOOR • HONOLULU, HAWAII 96813  
PHONE: (808) 768-8000 • FAX: (808) 768-6041  
DEPT. WEB SITE: [www.honolulu.gov](http://www.honolulu.gov) • CITY WEB SITE: [www.honolulu.gov](http://www.honolulu.gov)

KIRK CALDWELL  
MAYOR



ARTHUR D. CHALLACOMBE  
ACTING DIRECTOR

KATHY K. SOKUGAWA  
ACTING DEPUTY DIRECTOR

2016/ELOG-2526 (fk)

October 21, 2016

Mr. Ronald A. Sato, AICP  
Senior Associate  
HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, Hawaii 96813

Dear Mr. Sato:

We have reviewed the Kawainui-Hamakua Master Plan – Environmental Impact Statement Preparation Notice (EISPN) received on September 26, 2016, and have the following comments:

1. Section 3.2.3, Flood Hazards, Existing Condition. a) Revise this section to describe the FEMA flood hazard designations for each Tax Map Key (TMK) parcel. (Ex., TMK: 4-2-003: 017 are within Zones X, XS, AE, and AEF). b) On the contrary, the project doesn't appear to be affected by Zone VE.
2. Prior to construction, a licensed professional engineer should certify that work within the AE Floodway District will not result in any increase to the regulatory flood elevations.
3. Figure 3.1 (Flood Hazard Zones): Revise the map to clearly indicate the AEF Zone. Some areas of Figure 3.1 do not match the legend either. On page 3-2 of the EISPN, Section 3.1.2 Topography describes elevations within the project area as "ranging from sea level (within wetland areas) up to about 100 feet above mean sea level along Kapaa Quarry Road."
4. As a result, the Draft Environmental Impact Statement (DEIS) should include an analysis of the possible impact of sea level rise on the project structures and operations. If it is likely that sea level rise will increase the risk of groundwater inundation, salt water intrusion, or flooding during the life of the project structures, the DEIS should discuss how the design of the project and proposed operations at the project site will address that risk and provide resilience in recovering from the impacts of sea level rise.
5. The national standard for making such project assessments has been developed by the U. S. Army Corps of Engineers (USACE). The USACE issued an Engineering Regulation (ER 1100-2-8162) on December 13, 2013, which provides "guidance for incorporating the direct and indirect physical effects of projected

future sea level change across the project life cycle in managing, planning, engineering, designing, constructing, operating, and maintaining USACE projects."

6. The guidance in the regulation can be used as the basis for assessing the "potential relative sea level change" that might be experienced by projects in shoreline areas, and is required to be used for all USACE civil works.
7. See <http://www.corpsclimate.us/rccslca.cfm> for more details, including use of an online sea-level calculator which can be used to produce specific projections of sea level rise and potential extreme water level variations for Kawainui Wetland through 2100 based on tidal gauge records from Coconut Island.
8. For further details on how the Engineering Regulation and local tidal gauge information has been used to assess sea level rise risk for a local project, contact Mr. Michael Wong, Chief, Engineering and Construction Technical Branch, Army Corps of Engineers, Honolulu District at (808) 835-4138.
9. In addition, a University of Hawaii team from the School of Ocean and Earth Sciences and Technology, led by Dr. Chip Fletcher, is preparing detailed projections and mapping of coastal flooding and erosion based on an assumption of three feet of sea level rise for Hawaii by 2100. You may want to consult with him about potential sea water flooding of areas in Kawainui. He can be reached at (808) 956-2582.
10. The DEIS should provide an estimate of the number of annual visitors as well as projecting the likely distribution on the site. The increase in visitation may require a Traffic Impact Analysis Report (TIAR).
11. The State Office of Planning prepared a report to the State legislature entitled, "Establishment of a Statewide Greenways System for Hawaii." We recommend that the DEIS include a discussion of how the project addresses the recommendations of this report. Please discuss how the proposed project will address or be integrated with the greenbelt system.
12. The proposed project anticipates using septic systems to provide wastewater service. Septic systems are under the jurisdiction of the State of Hawaii Department of Health (DOH), therefore, the discussion in the DEIS should focus on the DOH requirements as they pertain to environmental impacts, unless the project has the funding and need to extend to the municipal wastewater system.
13. As a wetland of state and international significance, the project is in the Special Management Area (SMA). As such, the DEIS will need sufficient project details and proscribed mitigation measures to support a determination that no significant impact is anticipated against Chapter 25 objectives. The DEIS should include information on specific improvements, such as the Hale, caretakers residence, plant nursery, pathways, boardwalks, viewing platforms and parking areas, to address SMA requirements as needed to process an SMA permit application.

Mr. Ronald A. Sato, AICP  
October 21, 2016  
Page 3

Thank you for the opportunity to comment. Should you have any questions, please contact Franz Krintz of our staff at (808) 768-8046.

Very truly yours,



Arthur D. Challacombe  
Acting Director

ADC:ah

cc: Hawaii Department of Fish and Wildlife  
Attn: Marigold Zoll





**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Kathy Sokugawa, Acting Director  
Department of Planning and Permitting  
City and County of Honolulu  
630 South Beretania Street, 7<sup>th</sup> Floor  
Honolulu, Hawai'i 96813

Dear Ms. Sokugawa:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

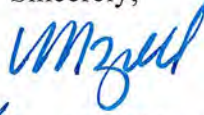
Thank you for your letter dated October 21, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. Our responses are numbered to correspond to your comments.


1. Descriptions of existing flood hazards are discussed by subareas in the Draft EIS (DEIS), and include exhibits providing more detail of flood designations for various areas. This should provide a sufficient level of detail versus a discussion of flood hazard designations by Tax Map Key (TMK) parcels. The Kawainui-Hāmākua project area is not subject to Zone VE flood hazards because the property is not located near the shoreline.
2. The design phase for areas implemented would include necessary engineering design to assess impacts and design modifications needed for improvements that occur within the Zone AEF (Floodway District) so that flood elevations are not increased.
3. The DEIS includes exhibits showing areas within the AEF Zone in more detail, and the Flood Hazard Zone figure has been updated so legend symbology corresponds more clearly with figure symbology. The DEIS also includes a figure showing general topographic elevations of the project area.
4. The DEIS includes an assessment of sea level rise impacts to the project. Based upon Geographic Information System (GIS) data from NOAA's web viewer, a 3-foot projected sea level rise would only affect low lying areas along the levee, wetlands at Wai'auia, and increase water levels at Hāmākua's wetland. Therefore, project improvements within upland areas at Kawainui, such as the education center, would not be affected.
5. Thank you for suggesting the U.S. Army Corps of Engineers' (USACE) Engineering Regulation (ER 1100-2-8162) that is used as guidance for assessing climate change and sea level rise impacts for USACE projects.

6. As previously discussed, upland areas planned for project improvements would not be affected by projected sea-level rise. However, the USACE regulations can serve as a form of guidance during the design phase for improvements that are implemented by DOFAW, DSP or non-profit organizations.
7. Thank you for providing a link to the USACE's Response to Climate Change Program Sea-Level Change Adaptation web page. However, GIS data from NOAA's web viewer has been used to evaluate projected sea-level rise effects.
8. Mr. Wong of the USACE's Honolulu District will be contacted if further information is needed regarding the USACE engineering regulations and local tide gauge.
9. Thank you for providing information on Dr. Fletcher's research related to sea level rise risk. A 3-foot projected sea level rise was used in evaluating effects using NOAA's GIS web viewer data.
10. Estimates for monthly visitors and activities throughout the project area are discussed in the DEIS. A Traffic Impact Analysis Report (TIAR) has been developed which assesses project impacts to related transportation facilities.
11. Thank you for providing a reference to the State report, "Establishment of a Statewide Greenways System for Hawai'i". Report recommendations and project integration with the greenbelt system are assessed in the DEIS.
12. Proposed septic systems would comply with the State of Hawai'i, Department of Health (DOH) requirements, and the DEIS addresses wastewater effects. Connection to a municipal system is available in the Wai'auia and Hāmākua areas, and the design phase for facilities in those areas would determine the appropriate treatment method.
13. The project is within the City's Special Management Area (SMA) and a Special Management Area Use Permit would be obtained for improvements not already covered under an existing SMA Use Permit. The DEIS addresses the project's consistency with SMA objectives. Conceptual project information and details are provided in the DEIS to evaluate impacts, and further project details would be included in the SMA permit application, as applicable.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



 David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



DEPARTMENT OF TRANSPORTATION SERVICES  
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET, 3RD FLOOR  
HONOLULU, HAWAII 96813  
Phone: (808) 768-8305 • Fax: (808) 768-4730 • Internet: [www.honolulu.gov](http://www.honolulu.gov)

KIRK CALDWELL  
MAYOR



MARK N GARRITY AICP  
ACTING DIRECTOR

TP9/16-667246R

October 20, 2016

Mr. Ronald A. Sato, AICP, Senior Associate  
HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, Hawaii 96813

Dear Mr. Sato:

SUBJECT: Environmental Impact Statement Preparation Notice Kawainui-  
Hamakua Master Plan Project

In response to a letter from your firm dated September 21, 2016, we have no comments to offer at this time.

Thank you for the opportunity to review this matter. Should you have any further questions, please contact Michael Murphy of my staff at 768-8359.

Very truly yours,

A handwritten signature in black ink, appearing to read "Mark N Garrity", is written over a horizontal line.

Mark N Garrity AICP  
Acting Director

cc: Ms. Marigold Zoll, Oahu Forestry and Wildlife Manager  
State of Hawaii, Department of Land and Natural Resources



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. Mark Garrity AICP, Acting Director  
Department of Transportation Services  
City and County of Honolulu  
630 South Beretania Street, 3<sup>rd</sup> Floor  
Honolulu, Hawai'i 96813

Dear Mr. Garrity:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 20, 2016 on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We acknowledge that the City Department of Transportation Services has no comments to offer at this time.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Smith", with a small "fr" written below it.

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

HONOLULU FIRE DEPARTMENT  
**CITY AND COUNTY OF HONOLULU**

636 South Street  
Honolulu, Hawaii 96813-5007  
Phone: 808-723-7139 Fax: 808-723-7111 Internet: [www.honolulu.gov/hfd](http://www.honolulu.gov/hfd)

KIRK CALDWELL  
MAYOR



MANUEL P. NEVES  
FIRE CHIEF

LIONEL CAMARA JR.  
DEPUTY FIRE CHIEF

October 13, 2016

Mr. Ronald Sato, AICP  
Senior Associate  
HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, Hawaii 96813

Dear Mr. Sato:

Subject: Environmental Impact State Preparation Notice  
Kawainui-Hamakua Master Plan Project  
Koolaupoko District, Hawaii  
Tax Map Keys: 4-2-003: 017 and 030  
4-2-013: 005, 010, 022 and 038  
4-2-016: 002 and 015  
4-2-017: 020  
4-2-103: 018 and 035  
4-4-034: 025

In response to your letter dated September 21, 2016, regarding the above-mentioned subject, the Honolulu Fire Department (HFD) reviewed the material provided and requires that the following be complied with:

1. Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more than 150 feet from fire department access roads as measured by an approved route around the exterior of the building or facility. (National Fire Protection Association [NFPA] 1; Uniform Fire Code [UFC]<sup>TM</sup>, 2012 Edition, Sections 18.2.3.2.2 and 18.2.3.2.2.1.)

A fire department access road shall extend to within 50 feet of at least one exterior door that can be opened from the outside and that

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

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NOV 24 2017

Mr. Socrates D. Bratakos, Assistant Chief  
Honolulu Fire Department  
City and County of Honolulu  
636 South Street  
Honolulu, Hawai'i 96813

Dear Mr. Bratakos:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 13, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. Our responses are numbered to correspond to your comments.

1. Uniform fire code requirements governing building access distances will be incorporated into the design of proposed project facilities and site improvements for access roads, as applicable.
2. The design phase for facilities would develop necessary plans for addressing fire protection. Design plans would include evaluating connections to existing fire hydrants or utilizing an indoor sprinkler system to address building fire system requirements. Coordination with the City Board of Water Supply (BWS) would be conducted to address water supply requirements at that time. The BWS's initial assessment was that there is sufficient water availability for proposed improvements.
3. City fire access road dimensioning requirements (width and vertical clearance) will be incorporated into the design of proposed project facilities and site improvements, as applicable.
4. Civil engineering drawings developed in the design phase for proposed project improvements will be coordinated with the Honolulu Fire Department, as appropriate.



Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET • HONOLULU, HAWAII 96813  
TELEPHONE: (808) 529-3111 • INTERNET: www.honolulu-pd.org

KIRK CALDWELL  
MAYOR



LOUIS M. KEALOHA  
CHIEF

MARIE A. McCAULEY  
CARY OKIMOTO  
DEPUTY CHIEFS

OUR REFERENCE MT-DK

September 30, 2016



Mr. Ronald A. Sato, AICP, Senior Associate  
HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, Hawaii 96813

Dear Mr. Sato:

This is in response to your agency's letter of September 21, 2016, requesting comments on an Environmental Impact Statement Preparation Notice for the Kawainui-Hamakua Master Plan Project in the Koolau-poko District, Oahu.

The Honolulu Police Department has reviewed this plan and has concerns with the anticipated increase in traffic in the area and maintaining public safety alongside the project site. These concerns may place a greater demand on calls for police service to the area.

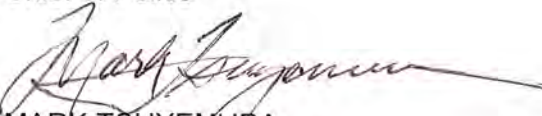
We recommend that the developer undertake initiatives to focus on the issues of criminal activities, traffic flow and congestion, and homelessness which may be correlated to this project.

If there are any questions, please call Major Gordon Gomes of District 4 (Kailua-Kaneohe-Kahuku) at 723-8639.

Thank you for the opportunity to review this project.

Sincerely,

LOUIS M. KEALOHA  
Chief of Police

By   
MARK TSUYEMURA  
Management Analyst VI  
Office of the Chief

cc: Ms. Marigold Zoll, Oahu Forestry and  
Wildlife Manager  
Department of Land and Natural Resources

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
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STATE PARKS

NOV 24 2017

Mr. Mark Tsuyemura, Management Analyst VI  
Honolulu Police Department  
City and County of Honolulu  
801 South Beretania Street  
Honolulu, Hawai'i 96813

Dear Mr. Tsuyemura:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated September 30, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

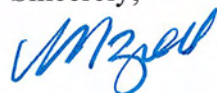
The State DLNR, Division of Conservation and Resource Enforcement (DOCARE) would be responsible for public safety enforcement within the State project area, and would coordinate with the Honolulu Police Department (HPD) as appropriate to address public safety issues. Sufficient management of the area is important because project improvements will increase public access and activities within designated upland areas. The State DLNR, Division of Forestry and Wildlife (DOFAW), Division of State Parks (DSP), and non-profit organizations operating in the area would coordinate collectively to support management and monitoring of the project area.


Due to the type of activities planned and timeframe when they would take place, traffic flow and congestion should not be significant because they generally occur outside of the commuter peak hours. Homeless issues in this area tends to occur in areas that have little public access, active management, and activities occurring. DOCARE has assisted DOFAW in removing homeless camps so that areas can be cleaned up, and vegetation cleared creating more open space that is visible. Non-profit and community partners conducting stewardship activities within the project area support these efforts by serving as an extension of DOFAW and DSP staff, and report unauthorized or illegal activities observed. In many areas, the increased presence of people and activity and greater visibility of the area can be a deterrent to undesirable activity.



Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



 David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners\

**Ronald Sato**

---

**From:** Liu, Rouen <rouen.liu@hawaiianelectric.com>  
**Sent:** Tuesday, October 25, 2016 1:26 PM  
**To:** Ronald Sato; 'marigold.s.zoll@hawaii.gov'  
**Cc:** Kuwaye, Kristen  
**Subject:** EISPN for the Kawainui-Hamakua Master Plan Project

Dear Mr Ronald Sato and Ms. Marigold Zoll,

Thank you for the opportunity to comment on the subject project. Hawaiian Electric Company has no objection to the project. Should HECO have existing easements and facilities on the subject property, we will need continued access for maintenance of our facilities. We appreciate your efforts to keep us apprised of the subject project in the planning process. As the proposed Kawainui-Hamakua Master Plan Project comes to fruition, please continue to keep us informed. Further along in the design, we will be better able to evaluate the effects on our system facilities.

If you have any questions, please call me at 543-7245.

Sincerely,  
Rouen Q. W. Liu  
Permits Engineer  
Tel: (808) 543-7245  
Email: [Rouen.liu@hawaiianelectric.com](mailto:Rouen.liu@hawaiianelectric.com)

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**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
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DEPUTY DIRECTOR - WATER

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LAND  
STATE PARKS

November 27, 2017

Mr. Rouen Liu, Permits Engineer  
Hawaiian Electric Company, Inc  
P.O. Box 2750  
Honolulu, Hawai'i 96840

Dear Mr. Liu:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 25, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We acknowledge that Hawaiian Electric Company (HECO) has no objection to the project. HECO does have existing utility poles within the project area, and continued access to those poles for maintenance will be provided. In the future, the State DLNR, Division of Forestry and Wildlife would like to coordinate with HECO regarding the relocation of utility poles present within the wetland. We will continue to keep HECO informed of the project.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Smith", is written over a faint, larger signature that appears to read "Lmzoll".

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners





October 10, 2016

HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, Hawaii 96813  
Attention: Mr. Ronald A. Sato, AICP, Senior Associate

Dear Mr. Sato:

Subject: **Environmental Impact Statement Preparation Notice,  
Kawainui-Hamakua Master Plan Project  
Koolaupoko District, Oahu, Hawaii**

Thank you for the opportunity to review and comment on the Environmental Impact Statement Preparation Notice for the subject project.

Hawaiian Telcom does not have any comments to offer at this time.

If you have any questions or require assistance in the future on this project, please call me at 546-7761.

Sincerely,



Les Loo  
Network Engineer  
Network Engineering & Planning

cc: Department of Land and Natural Resources  
File



DAVID Y. ICE



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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November 27, 2017

Mr. Les Loo, Network Engineer  
OSP Engineering  
Network Engineering & Planning  
Hawaiian Telcom  
P.O. Box 2200  
Honolulu, Hawai'i 96841

Dear Mr. Loo:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 10, 2016 on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We acknowledge that Hawaiian Telcom does not have any comments to offer at this time.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Smith", with a stylized flourish.

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



October 6, 2016

HHF Planners  
733 Bishop Street, Ste. 2950  
Honolulu, HI 96813  
(808) 457-3172

Attn: Mr. Ronald A. Sato, P.E.

**Subject: Kawainui-Hamakua Master Plan Project**


Dear Mr. Ronald A. Sato,

Thank you for the opportunity for Oceanic Time Warner Cable (OTWC) to review the above project. Based upon the plans you provided, OTWC has the following comments and concerns.

At this time, OTWC occupies both CATV and Hawaiian Telcom's (HTCO) duct systems. After reviewing the Kawainui-Hamakua Master Plan Project, we did not find anything that conflicts with our infrastructures.

Should you have any questions or concerns, please feel free to contact me at 465-5122 or 625-8357, or email me at [stephen.tercino@charter.com](mailto:stephen.tercino@charter.com).

Sincerely,

  
Stephen Tercino  
OSP Engineer



DAVID Y. IGE



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
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COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

November 27, 2017

Mr. Stephen Tercino, OSP Engineer  
Spectrum  
200 Akamainui Street  
Mililani, Hawai'i 96789

Dear Mr. Tercino:


**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 6, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We acknowledge that Spectrum (formerly Oceanic Time Warner Cable) currently occupies both CATV and Hawaiian Telcom duct systems. Thank you for notifying us that the project plans do not conflict with your utility infrastructure.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

  
for David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



## The Senate

STATE CAPITOL  
HONOLULU, HAWAII 96813

October 7, 2016

HHF Planners

Attn: Ronald A. Sato, AICP, Senior Associate  
733 Bishop Street, Suite 2590  
Honolulu, Hawai'i 96813

Re: Comments on the Kawainui-Hāmākua Master Plan Project EISPN

Thank you for the opportunity to comment on the Kawainui-Hāmākua Master Plan Project EISPN. I stand by my earlier comments made on the draft Kawainui-Hāmākua Master Plan submitted in 2014. However, for the project's EISPN I would like to offer two general suggestions which I believe would help to minimize any negative impacts of the project and maximize the creation of a more unified vision for the Kawainui-Hāmākua complex.

First, the forthcoming EIS should address the establishment of design and landscape guidelines for the entire project. Building design guidelines need to be developed to help ensure that all structures within the project area have a unifying vision. With so many entities slated to develop different areas within the marsh, a legitimate concern is that we will end up with a hodge-podge of structures ranging from simple haies to state of the art education centers.

By developing design guidelines now, the public can be assured that both a sense of place and Hawaiian culture are honored and incorporated into the process. Guidelines can also incorporate building standards to reduce runoff and further degradation of the marsh, minimize the footprint of the built environment and hard surfaces, and maintain view planes to the maximum feasible extent. These guidelines should be developed with input from the community before any construction begins.

Second, there is no doubt that the Kawainui-Hāmākua wetlands serve many significant and important environmental purposes. One of these is the cleaning and filtering of water runoff, from the mountains, before entering the ocean. This filtration is supposed to help ensure our nearshore waters and ecosystem are preserved and healthy. Presently, the marsh is not fulfilling its purpose of filtering mauka runoff in the current state of degradation that it is in. Kailua Bay continues to see increased levels of pollution especially after heavy rains.

Thus, in the event that any entity is allowed to charge a fee for any of their services within the Kawainui-Hāmākua complex, the plan should mandate that a set percentage of gross revenues shall fund projects and activities which restore the Kawainui-Hāmākua wetlands and improve wetland and upland areas, to have a positive effect on water quality.

With the increase in activity and access, as well as, the development of buildings and other infrastructure around the marsh, it would be best to avoid further ecological degradation by ensuring that the health of the Kawainui-Hāmākua complex is the foremost concern.

I realize that project improvements are already outlined in the EISPN which specifically intend to enhance this environmentally sensitive wetland by removing invasive vegetation, providing erosion control through upland reforestation, and enhancing wildlife habitat. However, funding continues to be an issue with any restoration effort undertaken by the State. Creating a mechanism to fund wetland restoration now, will ensure that the health of Kawainui-Hāmākua remains a priority throughout the master plan's implementation.

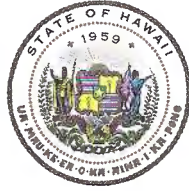
Sincerely,

A handwritten signature in black ink, appearing to read "Laura Thielen", written in a cursive style.

Senator Laura H. Thielen  
District 25 - Kailua, Waimanalo, Hawaii Kai

cc: Ms. Marigold Zoll, O'ahu Forestry and Wildlife Manager





## The Senate

STATE CAPITOL  
HONOLULU, HAWAII 96813

October 24, 2016

HHF Planners

Attn: Ronald A. Sato, AICP, Senior Associate  
733 Bishop Street, Suite 2590  
Honolulu, Hawai'i 96813

Re: Comments on the Kawainui-Hāmākua Master Plan Project EISPN

In my comment letter on the Kawainui-Hāmākua Master Plan Project EISPN dated October 7, 2016, I referenced my earlier comment letter, submitted in 2014, on the draft Kawainui-Hāmākua Draft Master Plan.

I inadvertently did not enclose my 2014 comment letter. Thus, attached is my 2014 comment letter which I would like to be formally included in my comments for the Kawainui-Hāmākua Master Plan Project EISPN.

Sincerely,

Senator Laura H. Thielen  
District 25 - Kailua, Waimanalo, Hawaii Kai

cc: Ms. Marigold Zoll, O'ahu Forestry and Wildlife Manager

Enclosures



## The Senate

STATE CAPITOL  
HONOLULU, HAWAII 96813

June 30, 2014

Chairperson William Aila  
Department of Land and Natural Resources  
P.O. Box 621  
Honolulu, HI 96809

Re: Kawainui-Hamakua Complex Draft Master Plan

Aloha Chairperson Aila,

Your article in the paper on Sunday June 21 stated that the Department of Land and Natural Resources has offered many opportunities to the community to provide input on the Kawainui-Hamakua Complex Master Plan.

What you may not be aware of is that the most common concerns repeatedly raised by the community during each of these public meetings have not been responded to by the Department, the Planners, and are not addressed in the draft Plan.

The most common questions at each of the community meetings where input was gathered, were:

- "Are these improvements to be open for commercial activities, including commercial tours?"
- "How is DLNR going to manage these improvements and enforce their regulations – specifically the limits on commercial activities in sanctuaries and State Parks?"
- "How will the increase in traffic and visitors to the improvements, especially in physically confined areas and areas adjacent to neighborhoods, such as the Ulupo Heiau, be managed?"

I recently called the consultants who prepared the draft Plan. I spoke with the lead Planner and asked him to direct me to the portions of the draft Plan that address this community input.

The Planner stated that the draft Plan is not an EIS document, and therefore there is no legal requirement to respond to questions or input raised in meetings or submitted in writing. The draft Plan merely lists the questions and concerns in appendices, but does not respond to them. The draft Plan simply states that management is a programmatic concern, and therefore is not addressed.

I hope you personally were not aware that community input was being handled in this fashion. I hope you will direct your staff and consultant to revise the draft Plan to incorporate the Department's response to this valid input. To assist in that process, I am providing some suggestions in this letter.

## **1. Address Capacity Limits**

The draft Plan notes that the Marsh is about 1,000 acres, and the Plan only proposes improvements on a small percentage of that total area. The implication is the improvements will have little impact on the area.

But in reality, the improvements are all on a six-mile stretch of road circling the Marsh. So the Plan proposes to build improvements in seven new locations and expand existing improvements and operations in three additional locations, along these six miles. That is a lot of improvements and increased activities along short linear distance subject to a number of capacity limitations.

Every comment letter I've seen supports the cultural and educational components of this draft Plan. The concerns expressed are that there are too many buildings and parking lots; improvements in areas with inadequate parking; improvements next to residential neighborhoods which don't provide adequate parking or traffic controls. The high density of buildings and improvements also raises the question of whether the DLNR can afford to build and maintain the improvements, enforce its rules and state law on the inevitable increase in human visitors, and the cumulative negative impacts on the Marsh resources.

## **Possible solutions for consideration**

1. Reduce the number of improvements, but not the vision, by building multi-purpose improvements.
  - Fewer buildings that serve multiple purposes will reduce impacts upon the Marsh, address the physical access limitations, reduce cost (and increase the



likelihood that the Plan won't just sit on the shelf) and increase the ability of DLNR to manage the area. For example:

- Consolidate the improvements in two or more of the areas identified for living culture into one site;
  - Consolidate the two areas for education, especially the staging areas, pavilions and parking, into one site.
- Consolidate parking lots in between improvements and direct people to the trail to access areas, especially for sites adjacent to residential neighborhoods.
    - Ulupo Heiau has approximately 6 parking stalls at the YMCA lot. Use those for handicap parking, and locate parking elsewhere where visitors can access the trail and walk to Ulupo.
    - Kahanaiki and Na Pohaku should share a single parking area.
  - Consolidate the five entry points along Kapaa Quarry Road into two. The road is already subject to heavy industrial and large equipment traffic, which will be increasing with the newly rezoned Industrial Park. It is unsafe and unmanageable to have so many entry points along this short stretch.
2. Define the policy goals of the Plan and specify the authorized uses of the improvements in a manner that clearly limits potential commercial and tourism activities. The draft Plan description of the Hawaiian Cultural and Environmental Center is so broad that it would encompass a satellite operation of the Polynesian Cultural Center, which I don't think is the intent of anyone.
- Specify the State and DLNR policy goal(s) for any facility, and limit permitted uses to meet these goals. For example, the policy goals for the areas intended for living culture include creating a place for practitioners from the Windward side to teach, learn and share cultural practices. Accordingly, the Plan should incorporate discussion of the constraints that will be placed on the area to ensure the policy will be met. For example, capacity limits may be placed on the number of visitors and hours of operation except for specified events at limited times per year (including an ability to seek case-by-case permits from the DLNR to maintain flexibility).
3. Include physical and operational limits that will enforce capacity limits. For example a single parking stall for loading and unloading a school bus, which is located in a place that can be physically closed to unscheduled buses.

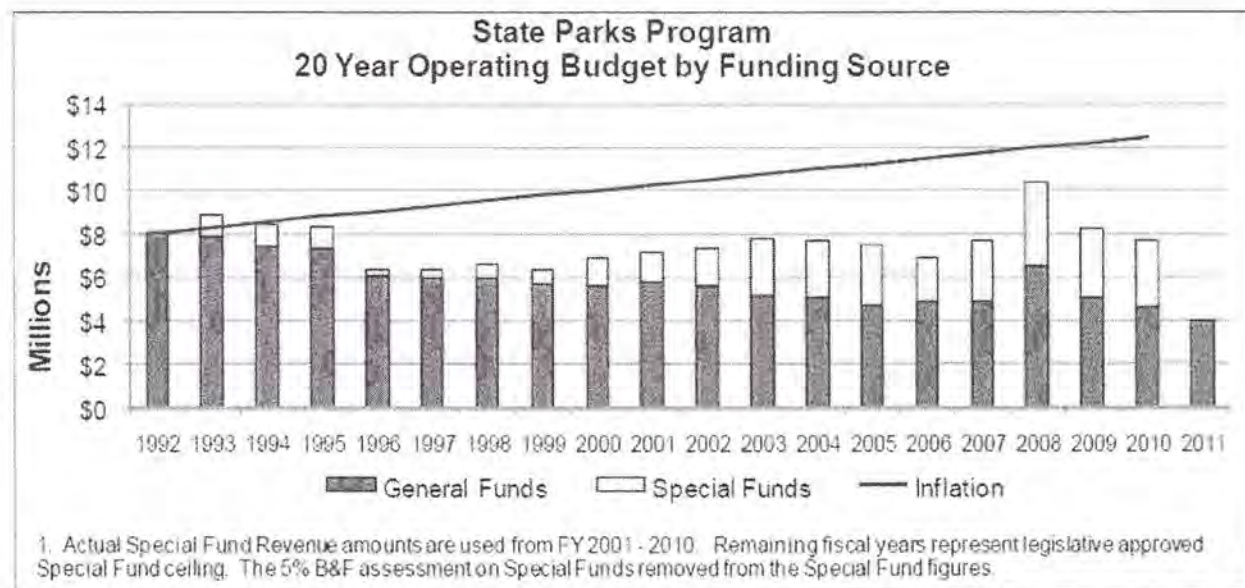
## 2. Include Operational and Management Needs

All across the State we experience severely undermanaged and unmanaged public recreational lands. DLNR would be grossly negligent to fail to address operational and management needs in its Master Plans for new and expanded public recreational areas.

DLNR has even issued a Report stating the department must quantify the new resources needed to manage new places.

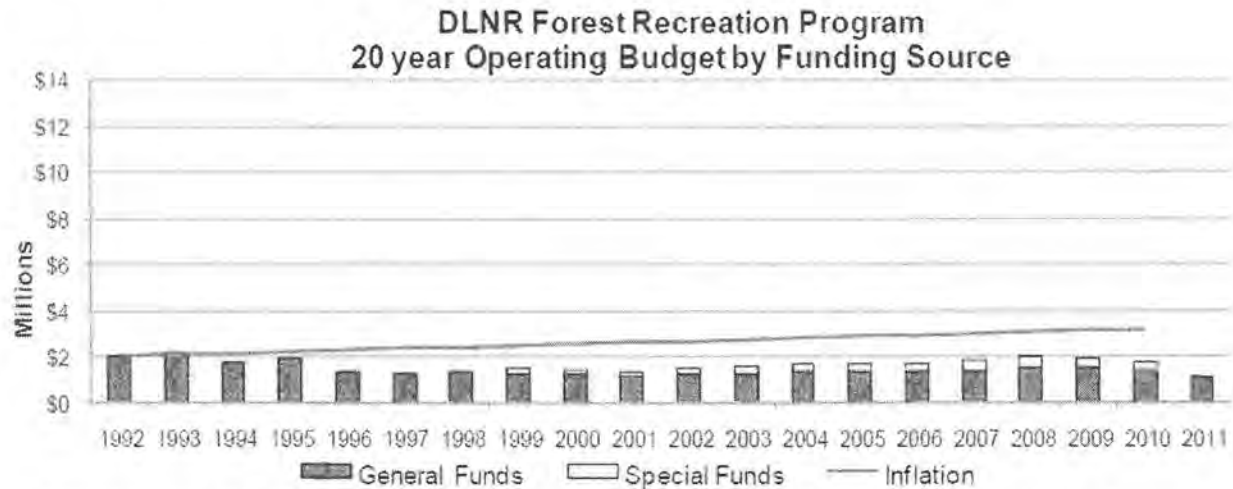
The real cost of land management includes not just caring for the physical assets (buildings; historic sites; etc.), but also for the cost of managing the people visiting these areas.... Accordingly, as the State starts to quantify the cost of managing new areas, it needs to consider essential support costs. For example, when considering a new Park, one can't just look at the operational budget for State Parks, but must also consider the additional support necessary from the Division of Conservation and Resource Enforcement.<sup>1</sup>

In the past, DLNR received thousands of acres of land and drafted numerous Master Plans for new areas without addressing management needs. And the 20-year history of budgets for State Parks reflects what happens when the Department fails to address management needs in Master Plans:



<sup>1</sup> State of the State Recreational Places, DLNR, December 2010, p. 23.

The picture for Forestry recreational budgets is even grimmer.



1. Actual Special Fund Revenue amounts are used from FY 2001 - 2010. Remaining fiscal years represent legislative approved Special Fund ceiling. The 5% B&F assessment on Special Funds removed from the Special Fund figures.

### Possible solutions for consideration

- Anticipate the pressures and resulting complaints that will arise at each site, and to the extent possible, minimize management costs by incorporating physical features that will require people to follow rules (such as reducing the number of parking lots; reduce the number of access points; reduce the number of buildings and consolidating them for multiple purposes; build all bus stalls in a manner that can be physically shut during non-scheduled bus stop).
- Establish a policy goal for DLNR to adopt place-based management, and create a single set of administrative rules to govern the area. Currently the DLNR administration of the area is geographically broken into different parts that are governed by different sets of rules, which will make management more difficult and enforcement virtually impossible.
- Incorporate a planned maintenance routine and planned enforcement routine, which will quantify the additional resources needed to operate and manage the area.
- The Plan should create a Community Advisory Board which is attached to DLNR for the purpose of embedding the community in the implementation and decision-making process. The Board should have stakeholders from the different groups who are currently in disagreement over portions of the draft Plan, and not be "stacked" in favor of one approach over another. The purpose is to eventually heal the divisions that have



been created by a planning process which has not – to date – facilitated discussion between groups within the community. Ultimately, we all have to live with the Marsh and each other.

### **3. Don't Privatize Public Land**

During my conversation with the head Planner, he informed me that two of the proposed improvements will be closed to the general public. I was told that the Hawaiian Cultural and Environmental Center and the Center for Hawaiian Studies are to be operated by groups in a manner closed to the general public, although DLNR staff were discussing the possibility of requiring the groups to allow a limited number of school trips to visit the sites.

When I asked where this was mentioned in the draft plan, I was directed to a sentence relating to the Hawaiian Cultural and Environmental Center on page 4-30 which states "a gated entry prevents vehicular access during closed hours."

When I said that this language doesn't mean that the area is to be closed to the general public during operating hours, the Planner repeated that the intention was for the two sites to be operated by groups in a manner closed to the general public. He acknowledged that more detail is warranted in the final Plan.

To be clear, he was not speaking of closing public areas during certain hours, such as closing a park at night. The Planner specified that these two areas would not be open to the general public during operating hours.

DLNR has a number of positive and constructive agreements with community groups to manage and steward places in State Parks and Sanctuaries or Reserves.

However, I don't believe State Parks or Forestry Sanctuaries has any management agreements that authorize the manager to close those public lands to the general public and retain the exclusive use of the lands for their members. Even in cases where the steward manages precious historic resources, such as Iolani Palace, the area is open to the general public, albeit under rules and times designed to protect the resource.

Not once, in any of the numerous public meetings I attended regarding this Plan, not once in the draft Plan, was there any discussion about giving one or more groups exclusive use of these public lands.

## **Possible solutions for consideration**

In the event the intent of the Department is to grant exclusive use of one or more areas to specific group(s), I request the following be done:

- Provide a detailed explanation of any portion of the Kawaiinui-Hamakua Complex or related improvements that will be closed, in full or in part, to the general public. Please include a justification for this arrangement.
- Provide examples of other similar DLNR Parks or Forestry management agreements, if any, and the justification for those arrangements.
- Extend the comment period on this Draft Plan to allow for input on this important topic.

My preference is to keep any improvements in these public lands open to the general public, subject only to general rules supporting managing the area (Ex: closed at night), or subject to an agreement that allows a steward to support their cultural management of the area (Ex: closed during limited ceremonies; halau classes open to paying public; no public access limited to specific, sensitive cultural sites).

## **Conclusion**

Thank you for the early revision of the draft Plan which placed the restoration, preservation and protection of the wetlands and habitats at the front of the draft Plan. While the draft Plan mentions management of specific cultural resources, that section could be expanded to include the restoration and protection of the many other cultural and historic resources in the Marsh.

Thank you for completing the draft Plan prior to issuing the EIS Prep Notice. This provides the community and the Department more time to consider comments and have the flexibility to revise the draft Plan prior to beginning the environmental review process.

Sincerely,



Senator Laura H. Thielen

Cc: Ron Sato  
HHF Planners

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

The Honorable Laura H. Thielen, Senator  
25<sup>th</sup> Senate District  
Hawai'i State Capitol  
415 South Beretania Street  
Honolulu, Hawai'i 96813

The Honorable Senator Thielen:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letters dated October 7 and 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. We note your October 24<sup>th</sup> letter was intended to include your June 30, 2014 letter on the project's draft master plan. Responses to your two letters are provided.

**October 7, 2016 Letter**

The Draft EIS addresses establishing building and landscape design guidelines to serve as a framework for Kawainui so that structures can have a more unifying vision and generally consistent themes. The State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP) can use these design guidelines in evaluating proposals for the cultural centers, design plans for the education center, and accessory structures (e.g. observation decks). Such guidelines can ensure a level of consistent themes, while providing flexibility for different and unique design concepts. For example, separate guidelines can be developed for DSP related facilities (e.g. education center) and DOFAW facilities that have different purposes and use.

The final master plan report prepared for the Kawainui-Hāmākua project will include design guidelines that can be used by DOFAW and DSP. The master plan report is intended to serve as a framework and guide for DOFAW and DSP to implement future improvements within the project area, and would therefore, serve as the appropriate source to include these design guidelines. Input from the community on design guidelines may be included in the process of finalizing the master plan report.



DOFAW and DSP would support having some of the fees charged for use of the area to be set aside for management or maintenance activities within Kawainui. A fee structure would be determined as part of lease or other permit agreements. Activities at Hāmākua would likely not generate fees because they would only consist of educational and cultural activities. As suggested, fees collected from Kawainui could be used to supplement activities to monitor and improve water quality within Kawainui.

### **October 24, 2016 Letter**

These responses address your June 30, 2014 letter that provided comments on the draft master plan, which you wanted to include as part of your comments on the EISPN.

### **Response to Initial Comments on Community Concerns**

The Draft EIS includes information addressing the three questions you identified as being most commonly raised at community meetings. These three questions are also addressed below.

1. Wildlife sanctuary regulations for both Kawainui and Hāmākua allow DOFAW to permit up to 100 commercial visitors per day. DOFAW has no plans to permit commercial visitors at Hāmākua because access to this sanctuary would be restricted to DOFAW management and maintenance activities. However, educational and cultural programs coordinated with DOFAW would be permitted.  
Within Kawainui, DOFAW currently has no plans on permitting commercial visitors within their sanctuary area. Within areas under the DSP jurisdiction (e.g. Ulupō Heiau, Pōhakea), commercial tours and visitors are not allowed unless they obtain a permit from DSP. DSP would not be issuing permits allowing commercial tours to their areas under this project. The proposed education center may include a small gift shop to sell books, educational materials, or other products to support DSP or the non-profit organization's operations and management of Kawainui.  
Areas designated for development of facilities to support cultural practices by non-profit organizations would not be permitted to allow commercial activities, such as commercial tours.
2. Non-profit organizations managing the education center and operating the cultural centers would be responsible to ensure compliance with restrictions and conditions, as would any other lessee of State property. These organizations would be working in coordination with DOFAW and DSP in managing areas and supporting stewardship activities. The State DLNR, Division of Conservation and Resources Enforcement (DOCARE) would be responsible for supporting agencies and non-profit organizations in enforcing regulations, such as illegal commercial tours. The Draft EIS discusses the need to increase DOCARE officers and DOFAW staff to support increased management of areas.
3. Various management tools and options are available for DOFAW and DSP to implement in managing visitors to Kawainui, as discussed in the Draft EIS. At Ulupō Heiau, the project only includes adding a nursery and hālau in addition to already occurring restoration activities that would not significantly change the present level of visitors to that site. The number of average daily visitors to Ulupō Heiau is not significant (about 450 persons a month) and would not significantly change with the



project. In partnership with DSP, a non-profit organization also has a staff person working at Ulupō Heiau on a daily basis as a curator providing stewardship, oversight of activities, and managing educational programs. Vehicular traffic issues within the Kūkanono subdivision are more appropriately attributable to activities at the Windward YMCA and churches.

The Draft Master Plan includes an Appendices that documents public informational meetings, community meetings, and includes comments received by the community during the preparation of the report. Since then, a summary of comments received on the draft master plan, with responses, and copies of all written comments was made available to the public and those submitting comments in August 2016. This memo addressed modifications made to the master plan concepts based upon comments received. The Draft EIS includes more information addressing management of the project area.

#### Response to Capacity Limits Comments

The project has been modified since the Draft Master Plan, and project concepts are discussed in further detail in the Draft EIS. Parking areas have been clarified to identify those parking lots open to the general public, and those lots that would be gated restricting access for management and programs. The number and type of buildings for a particular use should not make much difference as compared to the type of use and reason for attracting visitors. Visitors would not visit Kawainui because of one or two buildings making up the education center. They would visit Kawainui for the purpose to view wildlife and the natural landscape.

Similarly, the number of buildings used for a site designated to support cultural practices, which is not open to visitors, should more importantly be based upon the type of activities it needs to support. The non-profit organization developing these facilities would determine the number of buildings needed. The only site next to residential neighborhoods that would have improvements is along the Kūkanono subdivision. As previously discussed, the project only includes adding a nursery and hālau in addition to already occurring restoration activities at Ulupō Heiau. Adequate parking and traffic controls for that neighborhood are more appropriately attributable to activities at the Windward YMCA and churches.

We don't believe the project includes a "high density" of buildings that the State cannot afford to construct or maintain. Areas designated for allowing cultural practices would be developed and maintained by non-profit organizations given the strong requests by the native Hawaiian community for such an opportunity. DOFAW's management station is planned to have a few permanent buildings to replace their temporary storage containers now being used for management activities. Only the education center would have a building to support improved public access and visitors to the area. The kauhale complex associated with it consists of traditional Hawaiian thatch structures constructed by a non-profit organization. Other structures planned are to support educational programs and passive recreational activities such as shelters, restrooms, and pavilions.



Management of the areas and enforcement of regulations to address visitors to Kawainui were previously discussed, and the Draft EIS includes more information along with discussion of the project's effect on the environment.

1. Reduce the number of improvements. Project concepts reflect efforts to address the project need, and implications from reduced level of improvements have been evaluated. The State's mission and interest is to provide reasonable public access for all, in a way that protects the natural, cultural and historic resources of the area, and is compatible with Ramsar program objectives and guidelines. Some refinements or consolidation of buildings can be considered by non-profit organizations for the cultural centers or DSP for the education center when implemented as part of the design phase. However, it is more appropriate for those parties to determine a suitable design that meets their needs and programs.
  - a. Consolidating buildings can be considered by non-profit organizations developing cultural center areas, but the final design would be based upon their needs and objectives for activities occurring. Consolidating a few buildings into a larger building would likely have minimal changes in effects on the environment because the building floor area would be similar. There are no physical access limitations to the sites planned for the education center and cultural centers that would be improved by consolidating buildings, as all designs would have to be compatible with applicable Americans with Disabilities Act requirements.
  - b. The three areas designated to support cultural practices cannot be consolidated into one or two sites because they serve different purposes and objectives, and they each provide unique cultural and stewardship benefits. These areas are suitable for these uses, and would increase stewardship partnerships over larger areas that support DOFAW management.
  - c. The education center is the primary site intended for visitors, and would support management of public access along the Kahanaiki to Nā Pōhaku corridor. A pavilion and restroom at the Kawainui SPR, Kalāheo site are already permitted from prior entitlements. Other staging areas and accessory improvements are intended to support activities that may occur in those designated areas. For example, shelter and restrooms should be provided for students participating in educational programs at Kahanaiki, or for visitors viewing that area. Consolidating other accessory improvements can be further evaluated when implemented by DOFAW or DSP, such as only having just one pavilion at Mokulana. However, there would be minimal change in the environmental impact for including the second pavilion.
  - d. The only parking lots that could be consolidated are along Kapa'a Quarry Road because access is needed at other areas. Along this road, the only public parking areas are at Kahanaiki to the south and at the education center at Pōhakea about 0.8 miles away. These two sites are needed to provide reasonable public access for visitors, instead of making access difficult for the public.
  - e. The Ulupō Heiau parking suggestion would discourage visitors to the state historical park, and would force visitors to park within the Kūkanono subdivision. There are no other convenient access points to the pedestrian trail in that Ulupō Heiau area for the public.



- f. There are only two public access points along Kapa'a Quarry Road between Kahanaiki and Nā Pōhaku as already discussed. The other access points are restricted for DOFAW use, and two access locations at Kapa'a would serve the cultural center that isn't open to the general public and visitors.
2. Define the policy goals of the plan. The Draft EIS includes descriptions of proposed uses and clarifies the purpose and objectives for concepts. This includes discussion of the cultural center designated for the Kapa'a area. Specifying the policy goals for any facility is not necessary because the Draft EIS includes a discussion of the project need and objectives for which improvements support. Limiting permitted uses are also not necessary since uses would need to comply with applicable land use regulations. Lease documents with the non-profit organizations would specify more details and restrictions governing the use of the site.
3. Include physical and operational limits. The projected number of visitors should not warrant requiring physical or operational limits to enforce some type of capacity limits on visitors to Kawainui. There are some physical improvements included to manage access, such as fencing along some segments of the pedestrian trail corridor to prevent visitors from encroaching into restricted areas. Physical or operational constraints are not necessary for cultural center areas because they would not be open to tourists. Buses from commercial tours would not be allowed at the education center or other sites at Kawainui. The Draft EIS does discuss management tools and options that can be used to monitor, manage, or restrict activities or access to areas, if warranted.

#### Response to Operational and Management Needs Comments

DOFAW and DSP understand the importance of managing their resources and recreational lands. The Legislature was identified as a key component in your referenced report to fund regular maintenance of State park facilities. Any efforts to increase funding levels is appreciated. The Draft EIS discusses additional DOFAW personnel needed to continue restoration improvements and support management and maintenance of areas. The number of additional DOCARE staff needed to support security and enforce regulations are identified as well.

DOFAW and DSP are also partnering with non-profit organizations to function as stewards and curators of areas to support their management efforts. DOFAW and DSP have experience managing programs and working with non-profit organizations for many years now within the project area as part of existing programs. Non-profit organizations involved in these programs have been strong and committed partners with DOFAW and DSP. Restoration efforts, educational programs, and cultural programs already being conducted at Ulupō Heiau, Nā Pōhaku, the restoration ponds, and other project areas reflect their commitment, and are examples of successful stewardship partnerships with DOFAW and DSP. The cultural centers planned would increase such stewardship opportunities and partnerships supporting management of this area. The following addresses your possible solutions for consideration.

1. The project does identify physical features that can be incorporated in the design of improvements to support management efforts and reduce operating costs. For example, fencing along certain sections of the pedestrian trail would physically guide visitors along the path and prevent venturing into restricted areas. Public vehicle access points need to be reasonable, and are already limited to only two sites along Kapa'a Quarry



Road. Consolidation of buildings for the cultural centers is not necessary because they would be managed by the non-profit organizations and not open to the general public. The kauhale complex at Pōhakea only consists of traditional Hawaiian thatch structures that would be managed and maintained by a non-profit organization.

2. Existing administrative rules are sufficient to manage project areas, and such rules do not make management of the area difficult or impossible to enforce. Therefore, place-based management is not necessary. DOFAW has clear jurisdiction with their areas, and the ability to restrict access or activities, if necessary. DSP can similarly curtail public access and visitor activity within their areas if necessary to improve management. More important factors is support from the Legislature to fund additional staff positions, such as DOCARE officers to improve security and enforcement. To enhance funding opportunities, DOFAW and DSP are working to increase partnerships with non-profit organizations to supplement management and stewardship of the project area.
3. Developing a planned maintenance schedule and enforcement plan, such as scheduled patrols of areas, can be developed as DOFAW and DSP phase improvements over time. Such plans would help quantify and justify additional funding resources for more personnel. Nevertheless, support from the Legislature is needed based upon such requests.
4. We do not feel it necessary to create another community advisory board attached to DLNR. DOFAW and DSP participate in the Hoolaulima organization that is comprised of all major community organizations in Kailua, and plan to continue participating in meetings held by that organization to share information and updates on Kawainui. Creating another board would require time and resources that would be better spent managing the resources in the area. We are satisfied with the planning process used in developing the project's Draft Master Plan report. The planning process included several public informational meetings, and meetings with various organizations to discuss the project and obtain their input. A large part of the difficulty or perceived conflict has been due to misrepresentation of information being distributed to the community by certain organizations and individuals, and people not reviewing the Draft Master Plan. Community meetings held by the Hoolaulima organization revealed that many of the persons participating in those meetings and providing comments had never reviewed the Draft Master Plan report.

#### Response to Privatization of Public Land Comments

The Draft EIS explains that the areas designated for development of cultural centers to support cultural practices would be developed and operated by non-profit organizations through a State procurement process, such as request for proposals that would result in leases or other appropriate dispositions. These centers are not intended for daily use by the general public, however, the selected non-profit organizations would support participating in DLNR educational and cultural programs, community service learning projects, and other community activities. Many State lands are leased to parties for exclusive use, and two sites at Kawainui were formerly used by parties for exclusive ranch purposes for many decades. Any leases at Kawainui would include a public benefit.



Response to Possible Solutions Suggested

The Draft EIS includes information discussing areas that would be restricted from public access, such as the areas designated for cultural centers.

As previously discussed, two areas within Kawainui were formerly permitted to private parties for exclusive ranch use over many decades (Diamond "K" Ranch; V.O. Ranch).

The comment period on the Draft Master Plan was not extended.

It should be clarified that the majority of Kawainui is not open to the general public, and a large area of it is within the wildlife sanctuary under DOFAW's jurisdiction. An important objective of the project is to increase compatible public access within upland areas, and support management and visitor experience with improvements such as an educational center, pedestrian trails, observation areas, and parking areas. Unfortunately, several community organizations are opposed to increasing public access and any improvements that may support visitors to Kawainui. Project improvements are intended to support DOFAW and DSP management of areas by increasing stewardship opportunities, educational and cultural programs, and passive outdoor recreation. We thus appreciate your support for increasing public access within the project area, subject to appropriate management practices.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David G. Smith, Administrator  
Division of Forestry and Wildlife

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cc: Ronald Sato – HHF Planners





## The Senate

STATE CAPITOL  
HONOLULU, HAWAII 96813

October 24, 2016

Ronald A. Sato, AICP, Senior Associate  
HHF Planners  
Pacific Guardian Center, Makai Tower  
733 Bishop Street, Suite 2590  
Honolulu, HI 96813

RE: Testimony for Kawainui-Hamakua Complex Master Plan Project

Dear Mr. Sato:

Having been actively involved in the process since we were able to negotiate the land transfer from the City, and the State assumed ownership of this Ramsar Wetland of International Importance in 2008, we are in strong support of a comprehensive master plan for the Kawainui-Hamakua Complex to serve as a guide for restoration and preservation efforts moving forward.

From the very beginning, we understood that it would take meaningful commitments from all stakeholders that care about Kawainui if we were going to be able to manage what is now the State's largest remaining freshwater wetland with fidelity. To that end, even while planning efforts were ongoing, we have made it a priority at the Legislature to obtain the resources necessary to restore, maintain, and even match federal program funds.

Since 2007, \$7.53 million in general obligation bonds have been appropriated by the Legislature for various restoration and repair and maintenance projects around the marsh, and the necessary positions and over \$3.5 million in general funds have provided for operational support since FY08 for Kawainui.

As a result of numerous public meetings and taking into account the written comments provided, the final draft reflects significant compromises, while allowing us to move forward with a comprehensive and cohesive vision for the area that can also help to serve as both a guide for future funding and create opportunities for partnerships amongst stakeholder groups.

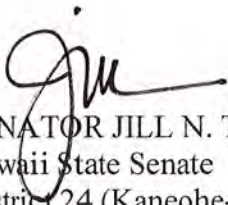
Ronald A. Sato, AICP, Senior Associate

October 24, 2016

Page 2

Places as significant and special as Kawainui bring out strong emotions in those who care for it. Her future and this plan have been no different. While there have been differences of opinion at times, we hope that we can all agree that a comprehensive strategy versus a piece meal approach to caring for Kawainui is needed. This plan offers a solid start and we humbly offer our strong support.

Sincerely,



SENATOR JILL N. TOKUDA  
Hawaii State Senate  
District 24 (Kaneohe-Kailua)



REPRESENTATIVE KEN ITO  
Hawaii State House of Representatives  
District 49 (Kaneohe, Maunawili, Olomana)

cc: Marigold Zoll  
Oahu Forestry and Wildlife Manager

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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LAND  
STATE PARKS

NOV 24 2017

The Honorable Jill N. Tokuda, Senator  
24<sup>th</sup> Senate District  
Hawai'i State Capitol  
415 South Beretania Street  
Honolulu, Hawai'i 96813

The Honorable Ken Ito, Representative  
49<sup>th</sup> Representative District  
Hawai'i State Capitol  
415 South Beretania Street  
Honolulu, Hawai'i 96813

The Honorable Senator Tokuda and Representative Ito:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letters dated October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We appreciate your active involvement throughout the project's master planning process, negotiating the land transfer, and support of the master plan. Your efforts prioritizing and obtaining funding resources for the restoration and management of this project area is greatly appreciated. DOFAW would also like to acknowledge and extend our appreciation for your efforts in helping to secure the \$7.53 million in general obligation bonds for repair and maintenance projects, and the over \$3.5 million in general funds for operational support at Kawainui.

We concur that several revisions have been incorporated into initial project conceptual plans throughout the master planning process based upon community input received. The Draft EIS includes more details on proposed improvements and management initiatives planned to address community issues. We believe current conceptual plans reflect compromises and provides opportunities for increased partnerships with community organizations, stewardship opportunities, and educational and cultural programming.



As your letter states, places as significant and special as Kawainui bring out strong emotions in those who care for it, and this master plan project has been no exception. The differences in public opinion have at times dominated the conversation about Kawainui's future. However, we believe this master plan provides a comprehensive approach to mapping the future of Kawainui and Hāmākua which DLNR can use as a guide for a phased implementation approach and seek future funding over time.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planner



## HOUSE OF REPRESENTATIVES

STATE OF HAWAII  
STATE CAPITOL  
HONOLULU, HAWAII 96813



October 19, 2016

HHF Planners

Attn: Ronald A. Sato, AICP, Senior Associate

733 Bishop Street, Suite 2590

Honolulu, HI 96813

### **RE: Comments on the Kaawainui-Hāmākua Master Plan Project EISPN**

As Representative for Hawaii's 50th State House District (Kailua-Kaneohe Bay), I am writing to provide comments on the proposed draft of the Kawainui-Hāmākua Master Plan EISPN. I recognize the hard work dedicated to drafting this plan, and appreciate you giving careful consideration to all who are offering comments and concerns.

For several years, our office led the effort to designate the Kawainui-Hāmākua Marsh Complex as a Ramsar International Wetland of Distinction. Although the draft Master Plan incorporates not only the marsh, but other protected areas, it is extremely important that the health of this renowned habitat be ensured.

According to the Ramsar Convention, these sites are of significant value not only for the country or the countries in which they are located, but for humanity as a whole. Additionally, the inclusion of a wetland on the Ramsar List embodies the government's commitment to take the steps necessary to ensure that its ecological character is maintained. Part of the agreement states: "Each Contracting Party shall arrange to be informed at the earliest possible time if the ecological character of any wetland in its territory and included in the List has changed, is changing or is likely to change as the result of technological developments, pollution or other human interference." Has Ramsar been notified of the proposed plan, and have comments or suggestions from the Convention been offered?

Our protected wetlands now face two damaging threats: *Invasive species*, which include non-native predators, non-native plants, non-native fish, and hybridization, as well as *human induced challenges*: pollution, climate change and development. Currently we are fighting to keep mangroves, haole koa, and other invasive plants from choking out the Hamakua stream in the lower quadrant of the wetland. Funding and manpower is scarce.

Additionally, Kailua is struggling to manage and plan for the growing influx of visitors which venture into our residential community to tour "the sites". It is no longer true that visitors primarily come to Kailua to visit the beaches as HHF has responded in their comments. Visitors come to visit what is now being marketed as "charming Kailua town", hike our many trails, and are hungry to visit locations "off the beaten path". One only has to look at the issues Maunawili Valley is facing with the degradation of the popular Maunawili Falls Trail to see what the future may hold for Kawainui. Currently DLNR is struggling to remove homeless encampments which are established inside the Marsh. How are we going to enforce protections against those venturing into the marshlands as part of a "off the beaten track" recreational tour? Who will fund enforcement, and who will take responsibility for keeping pets/people/ecological tours from disturbing this precious environmental jewel?

Specifically, I question the following items contained in the draft plan:

***Educational Center complex with the addition of six traditional pole and thatch Hawaiian structures, Hawaiian games area, and gardens of native and Polynesian-introduced plants:***

Although I strongly support the educational value and cultural offerings provided by such a "center", I believe that this large of a development is not necessary. The old adage, "if you build it they will come" is certainly true. The influx of people into the marsh would raise exponentially. Who will pay for the maintenance of these buildings? Who will provide crowd, parking and traffic control? Who will pick up trash, and who will insure that the Center is protected every day, all day and night long? I would also ask that a specific plan outlining design and landscape guidelines for the project which include sustainable materials and "green" building practices be provided in the EIS.

***The ownership, repair, and maintenance of Kapa'a Quarry Road:***

A serious concern is egress and ingress for vehicles on Kapa'a Quarry Road under the governing legal conveyance of exchange document (attached) which specifies that it "shall not be considered a public road." Different portions of the two-lane Kapa'a Quarry Road are owned by three entities...State, City & County, and a private land owner, the King Family (see attached TMK Map). According to HHF, the EIS will address City-owned property associated with Kapa'a Quarry Road. However, the draft EIS does not address the portion of the road owned privately, or by the State, nor does it discuss the limited public access restrictions. LeJardin Academy has had several meetings regarding the lack of maintenance on this road which is one of the most dangerous thoroughways on Oahu. While the City has committed funds to improve their portion of the road, the private land owner has not. Increased traffic (including large buses and trucks) from the proposed Educational Center Complex, as well as the planned Kapa'a Industrial Park, must be addressed by the EIS. A copy of the ownership map is attached for reference as well as a Conveyance Document establishing a road easement for utility purposes. The State needs to consider exposure to certain liabilities if the road does not meet standards established for "a public road"



as established in the attached Conveyance Document. ***Additionally, the draft EIS must address the implications of Kapa'a Quarry Road being barricaded or gated as allowed in the easement agreement.***

***Extensive network of footpaths:***

While the footpaths offer an opportunity for all of us to appreciate the beauty of this distinct habitat, again I question funding for walkway maintenance and security. The negative consequences of people or pets going off designated trails into protected areas may be extremely damaging environmentally as well as ecologically. Impacts on undiscovered archaeological sites also need to be considered and accounted for. I agree with local environmental organizations, such as the Outdoor Circle, that an archaeological study, a water quality study, and an hydrology study should be completed for the entire marsh especially where structures and walkways will be built. A current assessment is important in order to ascertain real impacts.

Thank you for giving me the opportunity to comment on this project. Maintaining this precious resource for generations to come should be the highest and best use of this land. Educational and cultural opportunities are welcomed and greatly valued. However, why do we need so many structures, parking lots, walk ways and improvements in order to teach our people about the beauty and cultural importance of this unique and protected wetland; and how will the State guarantee public access on Kapa'a Quarry Road under the road's existing ownership restrictions?

With aloha,






Representative Cynthia Thielen  
District 50 (Kailua-Kaneohe Bay)

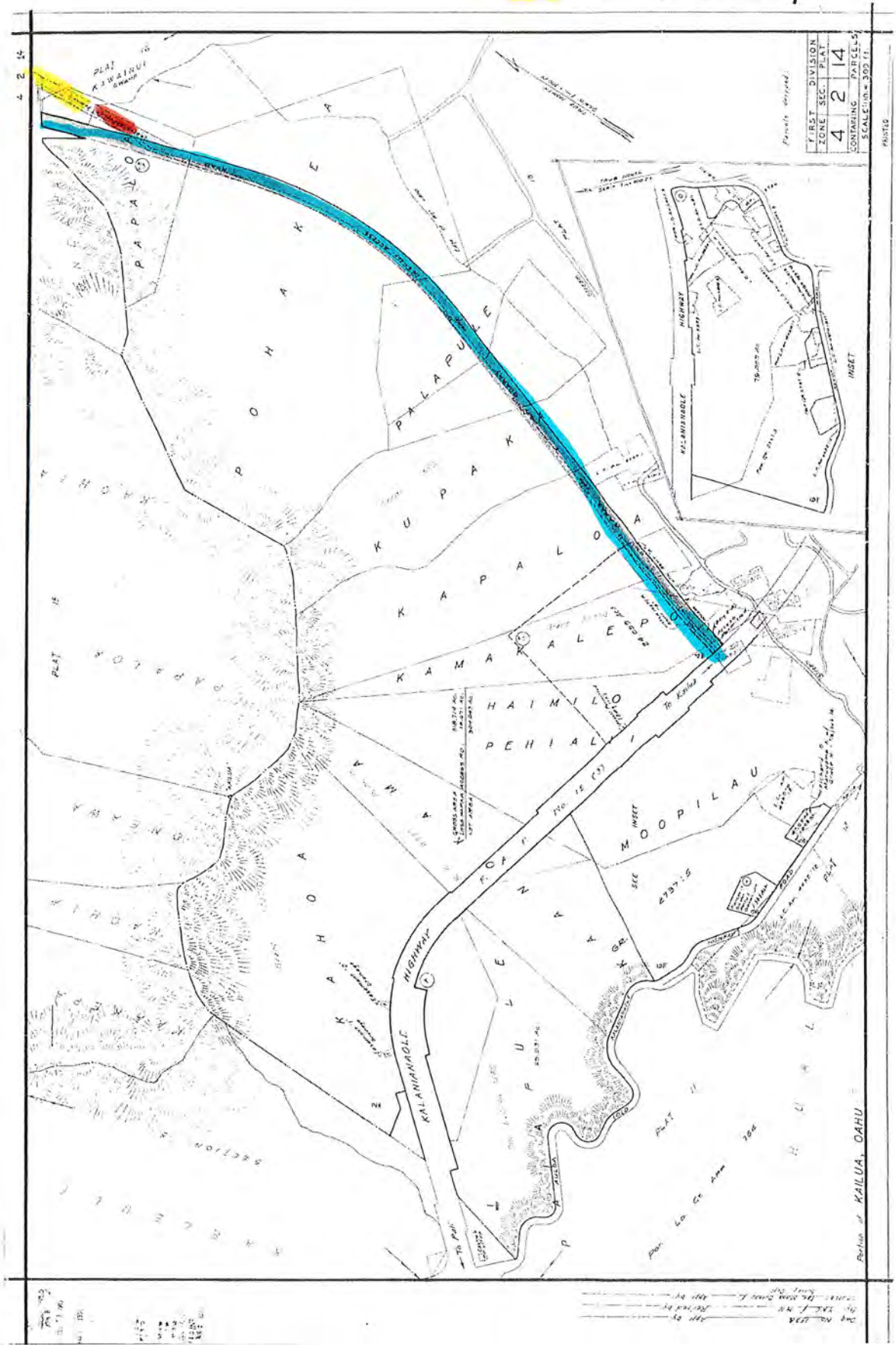
Encls: Kapa'a Quarry Road TMK & Conveyance Document

Cc: Ms. Marigold Zoll, Oahu Forestry and Wildlife Manager

CT:cf

# Kapaa Quarry Road ownership (1)

-  = Private (Kings)
-  = State
-  = City & County





FIRST DIVISION  
 ZONE 2, SEC. 15, PLAT 15  
 CONTAINING PARCELS  
 SCALE 1/2" = 100 FT.  
 PRINTED

Kapaa Valley, Oahu  
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PORTION OF RAILROAD, OAHU

ADVANCE

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**NONOKE PAPER CO.**

FIRST DIVISION

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CONTAINING PARCELS  
SCALE: 1"=300' ft.

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**COLLINS**  
FOR THE UNIVERSITY OF MICHIGAN LIBRARY

RECORDATION REQUESTED BY:

Division of Land Survey and Acquisition  
City and County of Honolulu

AFTER RECORDATION, RETURN TO:

Division of Land Survey and Acquisition

RETURN BY: MAIL ( ) PICKUP (X)

70- 37207  
70- 37208  
70- 37209

STATE OF HAWAII  
BUREAU OF CONVEYANCES  
RECEIVED FOR RECORD

7112 236  
1970 JUL 30 PM 1:02

*[Signature]*  
INDEXED REGISTRAR

*Kawainui 964*

THIS INDENTURE OF EXCHANGE, made this 16<sup>th</sup> day of July, 1970, by and between JAMES C. CASTLE, also known as James Christian Castle, HENRY H. WONG, also known as Henry Ho Wong, and HAWAIIAN TRUST COMPANY, LIMITED, Executors Under the Will and of the Estate of Harold K. L. Castle, all of Honolulu, City and County of Honolulu, State of Hawaii, hereinafter called the "FIRST PARTIES", JAMES C. CASTLE, HENRY H. WONG, H. W. B. WHITE and HAWAIIAN TRUST COMPANY, LIMITED, Trustees under Deed of Trust dated September 30, 1963, and recorded in Liber 4616 at Page 31, as amended, for THE MICHAEL CASTLE BALDWIN TRUST, THE JOHN CASTLE BALDWIN TRUST, THE JAMES CHRISTIAN CASTLE, JR. TRUST and THE JAMES CASTLE McINTOSH TRUST, all of Honolulu, City and County of Honolulu, State of Hawaii, hereinafter called the "SECOND PARTIES" and the CITY AND COUNTY OF HONOLULU, a municipal corporation of the State of Hawaii, whose business and post office address is Honolulu Hale, Honolulu aforesaid, hereinafter called the "THIRD PARTY",

W I T N E S S E T H :

That the FIRST PARTIES, in consideration of the compromise settlement sum of SEVEN HUNDRED FORTY THOUSAND AND NO/100 DOLLARS (\$740,000.00) contemporaneously paid to them and the SECOND PARTIES herein by the THIRD PARTY through Civil No.

EXEMPT—HAWAII CONVEYANCE TAX

CERTIFICATE NOT REQUIRED

25250 in the First Circuit Court of the State of Hawaii, the receipt whereof is hereby acknowledged, and in further consideration of the conveyance to them by the THIRD PARTY of a non-exclusive easement for roadway and utility purposes over and across the parcels of land described in Exhibit "C" attached hereto and made a part hereof, do hereby grant unto the THIRD PARTY, its successors and assigns, non-exclusive easements for roadway and utility purposes over and across the parcels of land described in Exhibit "A" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the same, for the uses and purposes aforesaid, unto the THIRD PARTY, its successors and assigns, until such time as a permanent roadway and utility easement is substituted therefor.

That the SECOND PARTIES, in consideration of the aforesaid compromise settlement and payment, the receipt whereof is hereby acknowledged, and in further consideration of the conveyance to them by the THIRD PARTY of a non-exclusive easement for roadway and utility purposes over and across the parcels of land described in said attached Exhibit "C", do hereby grant unto the THIRD PARTY, its successors and assigns, a non-exclusive easement for roadway and utility purposes over and across the parcel of land described in Exhibit "B" attached hereto and made a part hereof.

TO HAVE AND TO HOLD the same for the uses and purposes aforesaid, unto the THIRD PARTY, its successors and assigns, until such time as a permanent roadway and utility easement is substituted therefor.



AND, for the consideration aforesaid, JAMES C. CASTLE and HAWAIIAN TRUST COMPANY, LIMITED, Trustees of the trust estate established pursuant to the Last Will and Testament, including codicils First through Fifth, of Harold K. L. Castle, deceased, and Harold K. L. Castle Foundation, a Hawaii eleemosynary corporation, do hereby approve of and consent to the grants of easements by said FIRST PARTY insofar as their interests are concerned, and hereby agree that their respective interests shall be subject to said grants of easements.

AND, for the consideration aforesaid, HC&D, LTD., a Hawaii corporation, Lessee under that certain Lease dated December 30, 1949, recorded in the Bureau of Conveyances in Liber 2305 on Page 28, as amended, made by Kaneohe Ranch Company, Limited, does hereby approve of and consent to the within grants of easements insofar as its interest is concerned, and that the aforesaid lease shall be subject to said grants of easements.

AND THIS INDENTURE ALSO WITNESSETH: That the THIRD PARTY, as a part of the aforesaid compromise settlement and in consideration of the conveyance to it by the FIRST and SECOND PARTIES of non-exclusive easements for roadways and utility purposes over and across the parcels of land described in said attached Exhibits "A" and "B", does hereby grant unto the FIRST and SECOND PARTIES, their successors, successors in trust and assigns, non-exclusive easements for roadway and utility purposes over and across the parcels of land described in said attached Exhibit "C".

TO HAVE AND TO HOLD the same, for the uses and purposes aforesaid, unto the FIRST and SECOND PARTIES, their successors, successors in trust and assigns, until such time as a permanent roadway and utility easement is substituted therefor.

THIRD PARTY does hereby also agree that if and when FIRST and SECOND PARTIES, or either of them, or their successors and assigns shall request a relocation of any portion or all of the easements described in Exhibits "A" and "B", and shall tender an appropriate instrument establishing a substitute location for such easement or for portions thereof, THIRD PARTY will execute and deliver to the party or parties requesting the same an exchange deed providing for such relocation, and extinguishing the encumbrance created by this instrument, to the extent the easements herein described shall be relocated.

FIRST and SECOND PARTIES do hereby also agree that if and when THIRD PARTY shall request a relocation of any portion or all of the easements described in Exhibit "C", and shall tender an appropriate instrument establishing a substitute location for such easement or for portions thereof, FIRST and SECOND PARTIES will execute and deliver to the party or parties requesting the same an exchange deed providing for such relocation, and extinguishing the encumbrance created by this instrument, to the extent the easements herein described shall be relocated.

IT IS MUTUALLY AGREED AND UNDERSTOOD by the parties hereto that the roadways designated herein are intended for use by the parties hereto and their tenants, successors and assigns, and shall not be considered public roads for general public use until such time as the roadways are brought up to acceptable standards for public roads and are accepted as such by the City

and County of Honolulu. Members of the public may, however, be given limited rights by the THIRD PARTY for access to the Kapaa Incinerator and Ash Disposal Site, the proposed Kawainui Park and any other properties controlled by the THIRD PARTY. Any party if it so desires may construct and maintain barricades or gates across the roadways at any convenient point for traffic control or security reasons provided that whenever the roadways are closed a guard shall be posted to permit authorized persons to pass through.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed on the day and year first above written.

James C. Castle  
JAMES C. CASTLE

James C. Castle  
JAMES C. CASTLE

Henry H. Wong  
HENRY H. WONG

Henry H. Wong  
HENRY H. WONG

HAWAIIAN TRUST COMPANY, LIMITED

H. W. B. White  
H. W. B. WHITE

By [Signature]  
Its EXECUTIVE VICE-PRESIDENT

HAWAIIAN TRUST COMPANY, LIMITED

By [Signature]  
Its VICE-PRESIDENT

By [Signature]  
Its EXECUTIVE VICE-PRESIDENT

Executors Under the Will and of the Estate of Harold K.L. Castle

By [Signature]  
Its VICE-PRESIDENT

Trustees under Deed of Trust dated September 30, 1963

APPROVED  
AS TO FORM

JUL 8 1970

J.R. [Signature]



James C. Castle  
JAMES C. CASTLE

HAWAIIAN TRUST COMPANY, LIMITED

By [Signature]  
Its EXECUTIVE VICE-PRESIDENT

By [Signature]  
Its VICE-PRESIDENT

Trustees of the trust estates established  
pursuant to the Last Will and Testament  
of Harold K. L. Castle

HAROLD K. L. CASTLE FOUNDATION

By James C. Castle  
Its PRESIDENT

By [Signature]  
Its Vice President

HC&D, LTD.

By [Signature]  
Its President

By [Signature]  
Its Treas.

APPROVED AS TO FORM AND  
LEGALITY

[Signature]  
Deputy Corporation Counsel

CITY AND COUNTY OF HONOLULU

By [Signature]  
FRANK F. FASI, Its Mayor

APPROVED  
AS TO FORM

JUL 8 1970

[Signature]

STATE OF HAWAII )  
 : ss.  
 CITY AND COUNTY OF HONOLULU )

On this 16<sup>th</sup> day of July, 1970, before me personally appeared JAMES C. CASTLE and HENRY H. WONG, Executors Under the Will and of the Estate of Harold K. L. Castle, and Trustees under Deed of Trust dated September 30, 1963, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed as such Executors and Trustees.

Joan J. Shaw  
 Notary Public, First Judicial  
 Circuit, State of Hawaii,

My commission expires JANUARY 15, 1972

STATE OF HAWAII )  
 : ss.  
 CITY AND COUNTY OF HONOLULU )

On this 23<sup>rd</sup> day of July, 1970, before me personally appeared H. W. B. WHITE, Trustee under deed of trust dated September 30, 1963, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed as such Trustee.

Thomas L. Lee  
 Notary Public, First Judicial  
 Circuit, State of Hawaii.

My commission expires 10-31-70

STATE OF HAWAII )  
 : ss.  
 CITY AND COUNTY OF HONOLULU )

On this 16<sup>th</sup> day of July, 1970, before me personally appeared JAMES C. CASTLE, Trustee of the trust estates established pursuant to the Last Will and Testament of Harold K. L. Castle, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed as such Trustee.

Joan J. Shaw  
 Notary Public, First Judicial  
 Circuit, State of Hawaii.

My commission expires JANUARY 15, 1972

STATE OF HAWAII )  
CITY AND COUNTY OF HONOLULU ) ss.

On this 16<sup>th</sup> day of July, 1970, before me appeared JAMES C. CASTLE and HENRY H. WONG, to me personally known, who, being by me duly sworn, did say that they are the PRESIDENT and Vice President respectively, of HAROLD K. L. CASTLE FOUNDATION, a Hawaii eleemosynary corporation, and that the seal affixed to said instrument is the corporate seal of said corporation, and that the instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said JAMES C. CASTLE and HENRY H. WONG acknowledged the instrument to be the free act and deed of said corporation.

Jan J. Shaw  
Notary Public, First Judicial  
Circuit, State of Hawaii.

My commission expires JANUARY 15, 1975

STATE OF HAWAII )  
CITY AND COUNTY OF HONOLULU ) ss.

On this 24<sup>th</sup> day of July, 1970, before me appeared R. L. Miller and J. L. Jones, to me personally known, who, being by me duly sworn, did say that they are the President and Treasurer respectively, of HC&D, LTD., a Hawaii corporation, and that the seal affixed to said instrument is the corporate seal of said corporation, and that the instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and said R. L. Miller and J. L. Jones acknowledged the instrument to be the free act and deed of said corporation.

Haiut J. Nozaki  
Notary Public, First Judicial  
Circuit, State of Hawaii.

My commission expires 11-30-71



STATE OF HAWAII )  
 : ss.  
 CITY AND COUNTY OF HONOLULU )

On this 20<sup>th</sup> day of July, 1970, before me appeared P. E. RUSSELL and K. R. NURSE, to me personally known, who, being by me duly sworn, did say that they are the EXECUTIVE VICE-PRESIDENT and VICE-PRESIDENT, respectively, of HAWAIIAN TRUST COMPANY, LIMITED, a Hawaii corporation, Executor Under the Will and of the Estate of Harold K. L. Castle and Trustee of the trust estates established pursuant to the Last Will and Testament of Harold K. L. Castle and Deed of Trust dated September 30, 1963; that the seal affixed to the foregoing instrument is the corporate seal of said corporation; that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors; and said P. E. RUSSELL and K. R. NURSE acknowledged the instrument to be the free act and deed of said corporation, as such Executor and as such Trustee.

[Signature]  
 Notary Public, First Judicial  
 Circuit, State of Hawaii.

My commission expires July

STATE OF HAWAII )  
 : ss.  
 CITY AND COUNTY OF HONOLULU )

On this 30<sup>th</sup> day of July, 1970, before me appeared FRANK F. FASI, to me personally known, who, being by me duly sworn, did say that he is the Mayor of the CITY AND COUNTY OF HONOLULU, a municipal corporation, and that the seal affixed to said instrument is the corporate seal of said municipal corporation, and that the instrument was signed and sealed in behalf of said municipal corporation by authority of its City Council, and said FRANK F. FASI acknowledged the instrument to be the free act and deed of said municipal corporation.

Edith T. Swann  
 Notary Public, First Judicial  
 Circuit, State of Hawaii.

My commission expires August 15, 1972

PROPOSED KAPAA INCINERATOR AND ASH DISPOSAL SITE

PARCEL E-3 (Revised)

(Road and Utility Easement)

TK 4-2-16, 16

Division of Land Survey  
and Acquisition  
Deputy Surveyor  
and Checked

Being a portion of L. P. 8264, Mahele Aw. 64, Apana 4 to Kahoe (Certificate of Boundaries No. 115). Situate at Papaloa, Kailua, Koolaupoko, Oahu, Hawaii.

Beginning at the South corner of this easement, and on the Easterly side of the Kapaa Quarry Access Road, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAILUA" being 2,807.45 feet North and 3,719.70 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 15-9-3-58, thence running by azimuths measured clockwise from true South:

1. 162° 40' 364.83 feet along the Easterly side of Kapaa Quarry Access Road along remainder of L. P. 8264, Mahele Aw. 64, Apana 4 to Kahoe (Certificate of Boundaries No. 115);
2. 175° 20' 313.95 feet along remainder of L. P. 8264, Mahele Aw. 64, Apana 4 to Kahoe (Certificate of Boundaries No. 115);
3. 252° 40' 77.12 feet along same;
4. 296° 30' 5.55 feet along same;
5. 355° 20' 683.94 feet along same to the point of beginning and containing an area of 0.920 acre.

PARCEL E-6 (Revised)

(Road and Utility Easement)

TK 4-2-16, 17

Division of Land Survey  
and Acquisition  
Deputy Surveyor  
and Checked

Being portions of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101); and Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in the Division of Conveyances of the Department of Land and Natural Resources of the State of Hawaii in Liber 45, Page 286. Situate at Kawainui and Paalae, Kailua, Koolaupoko, Oahu, Hawaii.

Beginning at the East corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAILUA" being 7,820.47 feet North and 5,014.72 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 15-9-3-58A, thence running by azimuths measured clockwise from true South:

1. 67° 42' 15" 198.28 feet along remainder of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101);
2. 91° 30' 227.71 feet along same and along remainder of Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in Liber 45, Page 286;
3. Thence along remainder of Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in Liber 45, Page 286, on a curve to the left with a radius of 290.00 feet, the chord azimuth and distance being 84° 40' 30" 68.93 feet;
4. 77° 51' 302.34 feet along same;
5. 87° 45' 359.61 feet along same;
6. Thence still along same, on a curve to the left with a radius of 290.00 feet, the chord azimuth and distance being 76° 35' 112.32 feet;
7. 65° 25' 808.74 feet along same and long remainder of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101);
8. Thence along remainder of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101), on a curve to the left with a radius of 290.00 feet, the chord azimuth and distance being 38° 27' 10" 262.99 feet;
9. 64° 45' 10.70 feet along same;
10. 343° 53' 20.81 feet along same;
11. Thence still along same, on a curve to the left with a radius of 290.00 feet, the chord azimuth and distance being 4° 38' 18" 19.60 feet;



12. 66° 18' 87.05 feet along remainders of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101) and Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in Liber 45, Page 286;
13. Thence still along same, on a curve to the right with a radius of 370.00 feet, the chord azimuth and distance being 211° 03' 24" 417.65 feet;
14. 245° 25' 808.74 feet along same;
15. Thence along remainder of Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in Liber 45, Page 286, on a curve to the right with a radius of 370.00 feet, the chord azimuth and distance being 256° 35' 143.31 feet;
16. 267° 45' 352.68 feet along same;
17. 257° 51' 295.41 feet along same;
18. Thence still along same, on a curve to the right with a radius of 370.00 feet, the chord azimuth and distance being 264° 40' 30" 87.94 feet;
19. 271° 30' 409.13 feet along same and along remainder of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101) to the point of beginning and containing an area of 4.350 acres.

PARCEL E-9

(Road and Utility Easement)

Being a portion of Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in the Division of Conveyances of the Department of Land and Natural Resources of the State of Hawaii in Liber 45, Page 286. Situate at Paalae, Kailua, Koolaupoko, Oahu, Hawaii.

Beginning at the East corner of this easement, and on the Southeast side of the Proposed Mokapu Saddle Road (Federal Aid Secondary Project No. S-0630 (7)), the coordinates of said point

Drafted, Prepared  
 and Checked  
 Division of Land Survey  
 and Acquisitions

of beginning referred to Government Survey Triangulation Station "KAILUA" being 8,270.90 feet North and 5,830.63 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 15-9-3-58A, thence running by azimuths measured clockwise from true South:

1. Along remainder of Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in Liber 45, Page 286, on a curve to the left with a radius of 50.00 feet, the chord azimuth and distance being 23° 12' 37" 65.33 feet;
2. Thence still along same, on a curve to the right with a radius of 370.00 feet, the chord azimuth and distance being 347° 14' 55" 62.28 feet;
3. 67° 42' 15" 83.35 feet along same;
4. Thence still along same, on a curve to the left with a radius of 290.00 feet, the chord azimuth and distance being 171° 41' 55" 45.19 feet;
5. Thence still along same, on a curve to the left with a radius of 50.00 feet, the chord azimuth and distance being 117° 06' 54" 76.73 feet;
6. 247° 00' 69.67 feet along the Southeast side of the Proposed Mokapu Saddle Road (Federal Aid Secondary Project No. S-0630 (7)) along remainder of Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in Liber 45, Page 286;
7. Thence still along same, on a curve to the left with a radius of 2,095.00 feet, the chord azimuth and distance being 245° 30' 109.68 feet to the point of beginning and containing an area of 0.218 acre.

PARCEL E-10

(Road and Utility Easement)

TK 5-2-14

Division of Land Survey  
 and Acquisition  
 Checked  
 and  
 Compared

Being all of Kapaa Quarry Access Road and being also portions of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101); Grant 2737, Apana 1 to Samuel Andrews; R. P. 3761, L. C. Aw. 6808, Apana 1 to Pouinohua;

R. P. 2528, L. C. Aw. 8799 to Kekauakamalii; Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in the Division of Conveyances of the Department of Land and Natural Resources of the State of Hawaii, in Liber 45, Page 286; R. P. 2142, L. C. Aw. 8797, Apana 1 to Kaoo; Grant 593 to Kekuku; R. P. 7285, L. C. Aw. 7588 to Kamoonoahu; L. P. 8264, Mahele Aw. 64, Apana 4 to Kahoe (Certificate of Boundaries No. 115); and R. P. 5642, L. C. Aw. 7122, Apana 2 to T. Tute. Situate at Haimilo, Kamakalepo, Kapaloa, Kupaka, Palalupe, Pohakea, Papaloa and Oneawa, Kailua, Koolaupoko, Oahu, Hawaii.

Beginning at the Southeast corner of this parcel of land and on the Northerly side of Kalaniana'ole Highway (Federal Aid Project No. F-15 (3)), the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAILUA" being 2,372.96 feet South and 2,818.10 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 15-9-3-58A, thence running by azimuths measured clockwise from true South:

1. Along the Northerly side of Kalaniana'ole Highway (Federal Aid Project No. F-15(3)), on a curve to the right with a radius of 3,430.00 feet, the chord azimuth and distance being 104° 05' 50" 100.00 feet;
2. 194° 05' 50" 198.50 feet along remainders of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101) and Grant 2737, Apana 1 to Samuel Andrews;
3. Thence along remainder of Grant 2737, Apana 1 to Samuel Andrews, on a curve to the right with a radius of 2,072.41 feet, the chord azimuth and distance being 196° 55' 55" 204.98 feet;
4. 199° 46' 2,603.00 feet along remainders of Grant 2737, Apana 1 to Samuel Andrews, R. P. 3761, L. C. Aw. 6808, Apana 1 to Pouinohua, R. P. 2528, L. C. Aw. 8799 to Kekauakamalii, Deed: Minister of Interior to Charles C. Harris dated March 24, 1876, and recorded in Liber 45, Page 286, Grant 593 to Kekuku, R. P. 7285, L. C. Aw. 7588 to Kamoonoahu and R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101);
5. Thence along remainders of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101) and Deed:



Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in Liber 45, Page 286, on a curve to the left with a radius of 2,965.71 feet, the chord azimuth and distance being 181° 13' 1,886.98 feet;

6. 162° 40' 1,418.86 feet along remainders of Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in Liber 45, Page 286, L. P. 8264, Mahele Aw. 64, Apana 4 to Kahoe (Certificate of Boundaries No. 115) and R. P. 5642, L. C. Aw. 7122, Apana 2 to T. Tute;
7. 233° 50' 105.66 feet along H. C. & D's Quarry Site along remainder of R. P. 5642, L. C. Aw. 7122, Apana 2 to T. Tute;
8. 342° 40' 1,452.96 feet along remainders of R. P. 5642, L. C. Aw. 7122, Apana 2 to T. Tute, L. P. 8264, Mahele Aw. 64, Apana 4 to Kahoe (Certificate of Boundaries No. 115) and Deed; Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in Liber 45, Page 286;
9. Thence along remainders of Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in Liber 45, Page 286 and R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101), on a curve to the right with a radius of 3,065.71 feet, the chord azimuth and distance being 1° 13' 1,950.60 feet;
10. 19° 46' 2,603.00 feet along remainders of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101), R. P. 7285, L. C. Aw. 7588 to Kamoohu, Grant 593 to Kekuku, Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in Liber 45, Page 286, R. P. 2142, L. C. Aw. 8797, Apana 1 to Kaoo, R. P. 2528, L. C. Aw. 8799 to Kekauakamalii, R. P. 3761, L. C. Aw. 6808, Apana 1 to Pouinohua and Grant 2737, Apana 1 to Samuel Andrews;

11. Thence along remainder of Grant 2737, Apana 1 to Samuel Andrews, on a curve to the left with a radius of 1,972.41 feet, the chord azimuth and distance being 16° 55' 55" 195.09 feet;
12. 14° 05' 50" 198.50 feet along same and along remainder of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101) to the point of beginning and containing an area of 14.671 acres.

PROPOSED KAPAA INCINERATOR AND ASH DISPOSAL SITE

PARCEL E-5 (Revised)

(Road and Utility Easement)

TK 4-2-15-6

Division of Land Survey  
 and Acquisition  
 Checked  
 and  
 Compared

Being portions of R. P. 2447, L. C. Aw. 6968 to Kawahaohi; Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in the Division of Conveyances of the Department of Land and Natural Resources of the State of Hawaii in Liber 45, Page 286; and R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101). Situate at Papaloa, Paalae and Kawainui, Kailua, Koolaulapoko, Oahu, Hawaii.

Beginning at the Southwest corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAILUA" being 5,522.31 feet North and 3,019.86 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 15-9-3-58A, thence running by azimuths measured clockwise from true South:

1. Along remainders of R. P. 2447, L. C. Aw. 6968 to Kawahaohi and Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in Liber 45, Page 286, on a curve to the left with a radius of 408.17 feet, the chord azimuth and distance being 194° 04' 06" 434.83 feet;
2. 161° 53' 1,032.88 feet along remainder of Deed: Minister of Interior to Charles C. Harris, dated March 24, 1876 and recorded in Liber 45, Page 286;
3. Thence still along same, on a curve to the right with a radius of 370.00 feet, the chord azimuth and distance being 169° 17' 24" 95.39 feet;
4. 246° 18' 87.05 feet along same and along remainder of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101);
5. Thence along remainder of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101), on a curve to the left with a radius of 290.00 feet, the chord azimuth and distance being 352° 17' 33" 104.79 feet;
6. 341° 53' 637.04 feet along same;



7. 343° 53' 860.43 feet along same and along remainder of Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in Liber 45, Page 286;
8. 90° 43' 7.22 feet along remainder of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101);
9. Thence still along same and along remainder of Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in Liber 45, Page 286, on a curve to the left with a radius of 460.00 feet, the chord azimuth and distance being 158° 48' 15" 46.88 feet;
10. 155° 53' 184.01 feet along remainder of Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in Liber 45, Page 286;
11. Thence still along same and along remainders of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101) and R. P. 2447, L. C. Aw. 6968 to Kawahaohi, on a curve to the right with a radius of 488.17 feet, the chord azimuth and distance being 23° 48' 228.80 feet;
12. 90° 43' 105.82 feet along remainder of R. P. 2447, L. C. Aw. 6968 to Kawahaohi to the point of beginning and containing an area of 2.988 acres.

PROPOSED KAPAA INCINERATOR AND ASH DISPOSAL SITE

PARCEL E-2 (Revised)

(Road and Utility Easement)

TK 11-2-15 (RAB)

Division of Land Survey  
and Acquisition  
Deputy Chief  
and Clerk

Being portions of L. P. 8264, Mahele Aw. 64, Apana 4 to Kahoe (Certificate of Boundaries No. 115); R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101); R. P. 5642, L. C. Aw. 7122, Apana 2 to T. Tute; R. P. 5571, Mahele Aw. 9, Apana 2 to Hale; and Deed: Minister of Interior to Charles C. Harris dated March 24, 1876, and recorded in the Division of Conveyances of the Department of Land and Natural Resources of the State of Hawaii in Liber 45, Page 286. Situate at Papaloa, Kawaiinui, Oneawa, Kaakepa and Paalae, Kailua, Koolaupoko, Oahu, Hawaii.

Beginning at the Southeast corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAILUA" being 3,489.12 feet North and 3,664.06 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 15-9-3-58, thence running by azimuths measured clockwise from true South:

1. 296° 30' 5.55 feet along remainder of L. P. 8264, Mahele Aw. 64, Apana 4 to Kahoe (Certificate of Boundaries No. 115);
2. 252° 40' 77.12 feet along same;
3. 175° 20' 427.07 feet along same and along remainder of R. P. 5642, L. C. Aw. 7122, Apana 2 to T. Tute;
4. 171° 49' 30" 1,641.00 feet along remainders of R. P. 5642, L. C. Aw. 7122, Apana 2 to T. Tute, R. P. 5571, Mahele Aw. 9, Apana 2 to Hale and R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101);
5. 163° 53' 860.43 feet along remainders of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101) and Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in Liber 45, Page 286;
6. 341° 53' 395.84 feet along remainder of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101);

7. Thence still along same, on a curve to the left with a radius of 460.00 feet, the chord azimuth and distance being 338° 53' 48.15 feet;
8. 335° 53' 360.45 feet along same;
9. Thence still along same and along remainder of R. P. 5571, Mahele Aw. 9, Apana 2 to Hale, on a curve to the right with a radius of 540.00 feet, the chord azimuth and distance being 343° 51' 15" 149.76 feet;
10. 351° 49' 30" 1,563.90 feet along remainders of R. P. 5571, Mahele Aw. 9, Apana 2 to Hale, R. P. 5642, L. C. Aw. 7122, Apana 2 to T. Tute and R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101);
11. 355° 20' 415.48 feet along remainders of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101) and L. P. 8264, Mahele Aw. 64, Apana 4 to Kahoe (Certificate of Boundaries No. 115) to the point of beginning and containing an area of 4.323 acres.

PARCEL E-7

(Road and Utility Easement)

TK 4-2-16

Being a portion of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101). Situate at Kawainui, Kailua, Koolaupoko, Oahu, Hawaii.

Division of Land Survey  
 and Acquisition  
 Checked  
 and  
 Approved  
 [Signature]

Beginning at the West corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAILUA" being 7,094.03 feet North and 2,862.20 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 15-9-3-58A, thence running by azimuths measured clockwise from true South:

1. 244° 45' 10.70 feet along remainder of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101);



2. Thence still along same, on a curve to the left with a radius of 290.00 feet, the chord azimuth and distance being 9° 01' 55" 24.86 feet;
3. 163° 53' 20.81 feet along same to the point of beginning and containing an area of 0.002 acre.

PARCEL E-8

TK 4-2-16-1

(Road and Utility Easement)

Being portions of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101); and Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in the Division of Conveyances of the Department of Land and Natural Resources of the State of Hawaii in Liber 45, Page 286. Situate at Kawainui and Paalae, Kailua, Koolaupoko, Oahu, Hawaii.

Being portions of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101); and Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in the Division of Conveyances of the Department of Land and Natural Resources of the State of Hawaii in Liber 45, Page 286. Situate at Kawainui and Paalae, Kailua, Koolaupoko, Oahu, Hawaii.

Beginning at the Northwest corner of this easement, the coordinates of said point of beginning referred to Government Survey Triangulation Station "KAILUA" being 7,820.47 feet North and 5,014.72 feet East, as shown on Division of Land Survey and Acquisition Parcel Map File No. 15-9-3-58A, thence running by azimuths measured clockwise from true South:

1. 271° 30' 430.01 feet along remainder of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101);
2. Thence still along same and along remainder of Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in Liber 45, Page 286, on a curve to the left with a radius of 290.00 feet, the chord azimuth and distance being 223° 50' 01" 428.76 feet;
3. 247° 42' 15" 83.35 feet along remainder of Deed: Minister of Interior to Charles C. Harris dated March 24, 1876 and recorded in Liber 45, Page 286;
4. Thence still along same and along remainder of R. P. 7983, L. C. Aw. 4452, Apana 12 to H. Kalama (Certificate of Boundaries No. 101), on a curve to the right with a radius of 370.00 feet, the chord azimuth and distance being 41° 47' 18" 564.47 feet;

5. 91° 30' 611.43 feet along remainder of R. P. 7983,  
L. C. Aw. 4452, Apana 12 to H.  
Kalama (Certificate of Boundaries  
No. 101);
6. 247° 42' 15" 198.28 feet along same to the point of  
beginning and containing an area  
of 1.989 acres.

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT

ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAIHOLAWA ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

The Honorable Cynthia Thielen, Representative  
50<sup>th</sup> House District  
Hawai'i State Capitol  
415 South Beretania Street  
Honolulu, Hawai'i 96813

The Honorable Representative Thielen:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 19, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

Response to General Comments

We appreciate your prior efforts in supporting Kawainui-Hāmākua's designation as a Ramsar site. As you know, the ecological character of Kawainui is currently not that of a pristine resource or habitat, or environmental jewel, but of a degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua, and are discussed in the Draft EIS. The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and federal requirements under the Land and Water Conservation Act to improve public access and outdoor recreation opportunities.

Ramsar supports sustainable tourism, recreational use, and cultural practices within designated wetlands. Ramsar views sustainable tourism as including maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (pedestrian trails, education center, etc.) supporting these aspects of sustainable tourism recognized under Ramsar, and facilities proposed are much smaller in scale than those occurring at many other Ramsar sites in the United States and other countries. Project improvements support educational programs by providing shelter and restrooms for students, and allows passive recreational use (trails) within designated upland areas furthering the observation and appreciation of nature and wildlife. Therefore, there is no need to notify Ramsar



of the proposed project or solicit comments because the project supports restoring the ecological character of these wetlands and Ramsar objectives.

We concur that funding is always needed to continue wetland restoration and maintenance activities within the project area and surrounding vicinity, such as Hāmākua Stream. Your support for continued funding from the Legislature helps continue these efforts.

We understand the concerns you have with the level of visitors to Kailua, and your opposition to changes that may attract more visitors to Kailua. The Draft EIS discusses the background associated with this issue, which is attributable to several items. Kailua's changing commercial town is attracting visitors due to available boutique shops, restaurants, etc. and hiking trails do provide additional activities for visitors. However, Kailua's renowned beaches and ocean recreational activities available continue to be the main attractions for both visitors and island residents to this area.

DLNR effectively removes homeless encampments within Kawainui, and appreciates support from the community in identifying and notifying them of such camps and issues. Project improvements include efforts to create partnerships with non-profit organizations to increase stewardship opportunities of areas and help monitor activities occurring.

The Draft EIS includes more information discussing this and management options to address visitors, which consist of both residents and non-residents. Although DSP can issue commercial permits for tours and related activities, such commercial tours are not being permitted or proposed under this project. DOFAW can allow up to 100 daily commercial visitors at both Kawainui and Hāmākua under wetland sanctuary regulations, however, DOFAW has no plans to permit commercial visitors under these regulations.

Finally, your concern and opposition to allowing pets (e.g. dogs) within the wildlife sanctuary supports DOFAW's position in not allowing pets, and this restriction will start being enforced for people currently using the levee.

#### Response to Comments on Education Center Complex

We appreciate your comment supporting the educational and cultural values provided by having some type of education center at Kawainui. The size of the proposed education center would be up to about 4,000 square feet in size, which is relatively modest for facilities of this type. For comparison, the visitor center at the Keālia Pond National Wildlife Refuge on Maui is about 7,500 square feet in size. The education center could be designed to be smaller in size, but it would still need to accommodate certain basic components such as exhibit area, restrooms, and offices to operate effectively. The eventual design of this center would determine an appropriate configuration and floor plan to meet intended programs and operational requirements.

The kauhale complex included with the education center is planned to be traditional Hawaiian thatch structures constructed by a non-profit organization. It would be used for traditional cultural practices by the non-profit organization managing it, and support educational and cultural



programs related to the education center. Therefore, the size of these thatch structures shouldn't be as relevant compared to its use for cultural and educational purposes.

The Draft EIS includes information addressing the projected number of visitors to Kawainui. Your concern with attracting more visitors to Kailua is acknowledged. However, with increased public access being allowed within designated upland areas of Kawainui, facilities such as the education center are needed to support management of visitors to the area. We don't believe modifications to the particular size of the education center makes much difference for visitors, because their attraction to the site would be to view wildlife and natural resources, as opposed to the size of an education center.

The education center with kauhale complex would be operated and managed by either a non-profit organization or DSP, which includes maintenance of facilities. Management activities include oversight of the parking lot, trash collection, security of facility, and activities occurring within the Kahanaike to Nā Pōhaku area. The Draft EIS discusses management activities, which includes DOFAW restricting access within certain areas, if warranted. The education center is intended to incorporate low-impact design and sustainability concepts, and there are standard guidelines and reference materials already available for developers. However, the actual measures utilized would be developed and determined during the design phase by DSP or a non-profit organization when this is implemented.

#### Response to Comments on Kapa'a Quarry Road

Thank you for the copy of the documentation on Kapa'a Quarry Road that was executed in 1970. This road consists of an easement to the City for roadway and utility purposes across the parcels affected. The Kawainui Park referenced in the document refers to a City plan at that time for an extensive regional park that included the entire Kawainui area. This plan included among other uses a golf driving range, active ballfields, picnic areas, sailboat facilities, and several access points along Kapa'a Quarry Road. This plan was approved by the State in 1972, and is discussed in the Draft EIS. As indicated in the document, the public may be given rights by the City for access for various reasons. Since 1970, the road has been allowed for public use, has been maintained by the City, and continues to be available for public use. The City recently repaved and restriped this entire road for public use this past fall. The Draft EIS discusses the ownership of Kapa'a Quarry Road by the State, City, and private landowner.

The Draft EIS includes a traffic impact study that addresses impacts from the project. Buses traveling to the education center would support educational or cultural programs, and buses for commercial tours will not be permitted under this project. The number of buses to the education center for programs would be quite minimal (perhaps 1 to 3 buses per week).

The State DSP does not plan on barricading or gating their section of Kapa'a Quarry Road to restrict public access. It is also highly unlikely the private owner for sections of the road would try to restrict access because public access is needed for the City's transfer station and to the owner's Kapa'a industrial park. The City allows and supports public use of Kapa'a Quarry Road (e.g. recent repaving), and it is highly unlikely the City would barricade or gate this road because public access is required for the Kapa'a transfer station and model airplane park.



Response to Comments on Footpaths

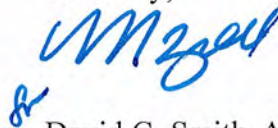
Funding for pedestrian path maintenance would be subject to fiscal support from the Legislature, and DOFAW appreciates your efforts in supporting such funding efforts. Maintenance costs should not be significant because trails would consist of mostly permeable surface material such as gravel. Foot trails would be unimproved grassed or dirt trails minimizing maintenance costs.

The Draft EIS discusses the need for additional State DLNR, Division of Conservation and Resources Enforcement officers for Kawaiinui to support security and regulations enforcement. One of DOFAW's management options is not opening additional areas to public access (e.g. trails) if they are not able to effectively manage areas. Other measures such as fencing along certain segments of the trails would manage access to prevent people from straying off designated paths. As previously discussed, pets would not be permitted within wildlife sanctuary areas.

An archaeological study is included in the Draft EIS, as well as other technical studies to address applicable project effects. These studies along with impact assessments conducted for other environmental factors provide information so that project effects can be evaluated.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David G. Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



Planning, Zoning and Environment Committee

KAILUA NEIGHBORHOOD BOARD NO. 31

519 WANA AO ROAD • KAILUA, HAWAII 96734  
PHONE (808) 768-3710 • FAX (808) 768-3711 • INTERNET: <http://www.honolulu.gov>

October 20, 2016

HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, Hawai'i 96813  
Ronald A. Sato, AICP, Senior Associate  
Email: [rsato@hhf.com](mailto:rsato@hhf.com)

Re: EISPN for the Kawainui-Hamakua Master Plan Project

Aloha:

The Planning, Zoning and Environment Committee of the Kailua Neighborhood Board requests to be a consulted party on this project, and submits the following comments for response and inclusion in the DEIS:

**Project Summary. (Agency Publication Form, Page 2.)**

1. The word "marsh" has been removed from the title of this project. It should be titled: EISPN for the Kawainui-Hamakua Marsh Plan Project. Why was "marsh" removed?

2. The project summary states that a master plan is being prepared to serve as "a guide for programming and implementing future improvements" (underlining added). Is our understanding of this statement correct, that, even though Chapter 343 HRS does not require an EIS for a master plan, you are preparing a programmatic EIS as a guide for future actions, each of which will require a more detailed assessment of environmental impacts and mitigations?

3. The project summary states that the proposed improvements fall into three major categories: natural resource management; cultural resource management; and educational and recreational initiatives. The third category, educational and recreational, creates the most concern with respect to the protection and preservation of this sensitive environmental resource. Educational and recreational improvement projects which increase public access to wetland and adjacent land areas can have a serious negative impact on the resource. The flooding potential of the wetland can also have negative impacts on the proposed projects. The DEIS should provide specific data pertaining to the following:

1) Details of educational facilities and programs that will be allowed, their functions and appropriateness in terms of serving local students or recreational visitors, as well as their size, extent, capacity, design, and cumulative impact.

- 2) A measure of the capacity of the resource and endangered species habitat to accommodate the numbers of persons, their frequency and infrastructure requirements.

Additional comments on pages of the EISPN are as follows:

**Page 1-1.**

The DEIS should explain or clarify the statements:

1. The "Plan" is the "project" for which the DEIS is being prepared.
2. The EISPN also states that "...an environmental impact statement (EIS) would now be prepared to assess the environmental impacts of the proposed project", i.e. the plan, even though Chapter 343 HRS does not require an EIS for a master plan. Chapter 343 HRS distinguishes between plans and actions. Only specific actions create a trigger for use of State funds or land, not a plan. A plan does not create a trigger for an EA unless it represents a "programmatic EIS" that is used to inform and coordinate future actions that may be undertaken. If the actions themselves trigger an EA, that will occur in the future.

**Page 1-3, 1.1.1 Need for Environmental Review.**

This EISPN paragraph states that " this project [defined as the plan] is subject to the state environmental review process prescribed under chapter 343, HRS, (known as the Hawaii Environmental Policy Act (HEPA)), and Title II, Chapter 200, HAR." Yet it appears that Chapter 343 HRS, as well as Title II, Chapter 200 HAR, quoted below, specifically state that an EIS is not required for planning studies. The DEIS should address this apparent inconsistency.

Chapter 343-5 Applicability and Requirements.

"(a) Except as otherwise provided, an environmental assessment shall be required for actions that:

- (1) Propose the use of state or county lands or the use of state or county funds, other than funds to be used for feasibility or planning studies for possible future programs or projects [underlying added] that the agency has not approved, adopted, or funded."

**Page 2-19, 2.2.3 Educational and Recreational Program Initiatives.**

The EISPN states that the initiatives "meet the mandate of Section 6(f) of the LWCF program to provide public recreational opportunities on lands acquired with these funds." At the same time, the plan is dealing with a sensitive environmental resource. As has been pointed out by the National Vice-President of the Sierra Club, there is a distinct difference between preserving the environment and using the environment. Section 6(f) permits the recreational opportunities to be provided off-site. Off-site lands are available in the plan area at the Wai'auia site, and others (see Figure 1.5). The DEIS should include a discussion and explanation that this mandate could be met off site. The mandate should certainly not be used as an excuse to introduce environmentally damaging uses into the marsh area.

**Page 2-23, 2.2.4.2 Subarea B: Kahanaiki-Na Pohaku-Kapaa.  
Kahanaiki Section.**

Necessary details are missing and should be included in the DEIS. These include:



1. The land area and materials of the trails.
2. The size and pavement materials of the parking lot.
3. The hours of operation and the number of cars and buses.
4. Estimated visitors per day.
5. Sewage treatment facilities, costs and timeline.
6. Cost estimates for wetland improvements, including the maintenance path over the wetland and Kahanaiki stream. (Figure 2.4).
7. An explanation of how the proposed construction in the wetland (boardwalk, etc.) will not negatively impact the endangered species habitat.
8. Explanation of specifically how the "outdoor classroom" and other facilities will preserve, protect and enhance the habitat of the endangered species, including cumulative impact from other proposed improvements in the overall plan.
9. Cumulative number of buses, cars and persons from all plan proposed project improvements.

#### **Page 2-26 - 2-28, Na Pohaku Section**

The following should be addressed in the DEIS:

1. Is the project an education center or a visitor attraction with or without an admission charge? What is the cost of the development? What will be its affect on the endangered species habitat, and the water quality of the marsh?
2. Has a market analysis for this development been prepared, or has a market just been assumed?
3. There are no sewer facilities in this area. How will the project be served by sewer facilities; at what cost and timeline?
4. There are a number of buildings and hale in your Figure 2.5 that are not identified. Will these be residences? What is their size, cost and construction type? How are they to be served by infrastructure and maintained? Do they meet building and fire codes?
5. There appears to be a conflict between the proposed management of the expansion of the Na Pohaku O Hauwahine site and the current stewardship at the former Cash ranch site. This should be explained in the DEIS.
6. It is impossible to determine the impacts of the "preliminary conceptual layout" of the Education Center building. A specific structure design and plan is needed to determine impacts. Exhibit 2.8, Page. 2-28.
7. Page 2-28. The EISPN states the parking area would include a drop-off area for school/shuttle buses. Where would the shuttle buses come from? Would tour buses and vans also be allowed?
8. How many visitors a day are expected?
9. The Pohakea Cultural and Education Center or Kauhale Complex, as described, appears to be a typical Hawaiian style tourist venue. The magnitude appears to serve more than the community and school groups which is its stated intent. A detailed description of its function and a quantification of the volume of visitors and tour buses is necessary to evaluate the impacts of the facility described.

#### **Page 2-29, Kapaa Section.**

1. Cost estimates for drainage improvements along Kapaa Quarry Road should be included. Are these drainage improvements a prerequisite to the development of the Hawaiian Cultural and Educational Complex.
2. The City and County of Honolulu (C&C) tax maps show C&C ownership of portions of this area along the Quarry Road. Is the C&C participating in this EISPN? What is the



C&C position on access through its property to the Hawaiian Cultural and Educational Complex?

3. The relationship between the Kauhale Complex, education/tourist center and the Hawaiian Cultural and Educational Complex and their cumulative impact on the wetland/habitat resource must be addressed and explained in the DEIS.

4. On what basis can the public be excluded from the Hawaiian Cultural and Educational Complex? Is it a religious facility?

5. Bioretention systems are proposed (Page 2-31). Both the state DOH and the C&C Department of Wastewater Management have indicated that they do not approve bioretention systems such as "Living Machines" for drainage and sewage waste. This conflict needs to be addressed in the DEIS.

6. The type of structures proposed appear to consist of materials highly flammable. Are these permitted by the building code, especially with commercial use?

7. How can impacts be evaluated from the conceptual pictures? Will a future EA be prepared for all projects?

8. What will be the effect of sea level rise on the structures, and will the sites become part of the wetland?

9. How will structures conform to C&C Land Use Ordinance (LUO) FEMA flood protection requirements?

10. Will the project be advertised as a Request for Proposals (RFP) or not?

11. Has a market analysis been done on the demand for this project.

12. What is the number of cars and buses per day?

13. What is the expected number of visitors per day?

14. What would be the source of the visitors?

15. What is the cost of providing municipal sewers? Timeline?

#### **Page 2-32, 2.2.4.3 Subsection C Kapaa-Kalaheo.**

1. What is the cost of the passive recreational park and canoe launch facilities and how will they be funded?

2. Will an EA be prepared when details are available?

3. What will be the social effects on neighboring residents?

4. Will the parking lot accommodate tour buses (which would make it a commercial facility)?

5. Is a NEPA required for the canoe launch?

6. What is the number of visitors and cars and buses expected per day?

#### **Page 2-35, 2.2.4.4 Subarea E. Wai'auia - Mokulana.**

1. The Wai'auia Center for Hawaiian Studies, as stated, would be a center for Hawaiian studies and performing and literary arts. Much of the description appears very similar and duplicative of the Education Center, Kauhale, and Hawaiian Cultural and Educational Complex. Why is the duplication necessary?

2. The Center for Hawaiian Studies appears partially to be a school. Would it need State Charter School approvals?

3. Will a future EA be prepared for the Center for Hawaiian Studies when details are available?

4. Will the Center for Hawaiian Studies be advertised as a Request For Proposals (RFP) or not?

5. The Lanikailua Outdoor Circle, Audubon Society, Keep It Kailua, Hawaii's Thousand Friends and the Kailua Neighborhood Board have endorsed and previously submitted

an alternative plan "Kawainui Marsh Restoration Plan", Priorities, Protocols, and Participation, including an alternative design for the Wai'auia site. The DEIS should explain why the "Specific Plan Recommendations"<sup>1</sup> of this plan, included below, have not been addressed in the EISPN. A key recommendation in this plan is the restoration of wetland by removal of the floating mat that covers large areas of the Kawainui Marsh. Related to this is the fact that flow from Kawainui into Kawainui Stream and hence into Hamakua Marsh, Enchanted Lake and Kailua Bay was blocked by construction of the dike causing water pollution problems in these water bodies. The DEIS should include a discussion of this, as well as, water quality data, and provide recommendations to correct the water flow problem.

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<sup>1</sup> Specific Plan Recommendations

**A. Programs and Operations**

- Emphasis on preservation, maintenance, water quality, and security of the wetland in context of the larger watershed (ahupua'a), derived from Kawaiola thinking.
- Maintenance and support of the waterbird habitat.
- Flood control and water pollution abatement.
- Wetland restoration and removal of floating mat.
- Permanently assigned maintenance and enforcement staffing.
- Above to be viewed from the Kawaiola-Whole Watershed Sustainability perspective.

**B. Resource management & Restoration**

- Control of runoff, siltation, contaminants, and nutrients.
- Removal of alien species, and promotion of native species.
- Prohibition of commercial tours and other commercial activities.
- Identification, Protection, and – as appropriate Restoration – of archaeological sites.

**C. Interpretative facilities**

- To ensure the protection of native endangered waterbirds at the recently created wetland habitat no kiosk and parking at Kalaniana'ole-Kapaa intersection.
- Concealed iw'i kupuna vault at ITT site.
- Marae hula mound (nominally 10x20 feet) and adjacent small hale (nominally 15x20) at ITT site for occasional manao-sharing use with visiting halau...stone and gravel base construction, thatched hau-frame upper structure, softscale permeable parking for about 20 passenger cars.
- Small hale (nominally 10x15 feet) at Ulupo with small permeable parking for 5 to 10 passenger cars.
- No commercial sales or commercial vehicle loading or parking.
- Small interpretative signage adjacent to Hamakua Marsh.
- Canoe storage and launch on Oneawa end, convenient to Kalaheo School.
- Limited parking at Na Pohaku for passenger cars only.
- Continue hale mua practices where Hawaiian boys were molded into men at current Cash ranch site. No structures.
- Create a sense of place at ITT site through native plants landscaping and placing any hale away from the road.

**D. Support features**

- Maintenance yard at City and County transfer station.
- Walking path retained on levee.
- Nursery support: coordinate / share with Bellows.



6. The pedestrian path 30 feet from homes appears to create a serious privacy issue. The residents should be interviewed in the DEIS.
7. The alternative boardwalk in the wetland will have negative impacts on the habitat from construction and human encroachment. These should be addressed. How it would support Maintenance vehicles is also a question.

**Page 2-38, Ulupo Heiau State Historical Park Section.**

1. The DEIS should address the conflict inherent in the description of the proposed development of the Ulupo Heiau with respect to visitors, Page 2-40. Giving paying tour bus and van visitors access to the area on a daily basis is already causing damage to the lo'i and other native plantings.
2. For safety reasons, tours should be completely prohibited if tour buses and vans must park on Kailua Road because of impacts on the bikeway, bus stop and pedestrian way. This parking should be addressed in the DEIS.
3. A C&C Conditional Use Permit (85/CUP-20) issued to the YMCA requires additional parking be provided for the YMCA. This parking area has not yet been provided. DSP use of the YMCA parking area is contrary to the C&C permit requirements. This should be acknowledged and addressed in the DEIS.

**Page 2-41. DOFAW Kawainui Management Research Station.**

1. The conceptual plan described does not provide the detail needed to assess the impacts of the various facilities. Is an EA planned for this project development in the future?
2. The community has expressed interested in keeping the C&C Ulukahiki Street open and not gated. This residents' request should be addressed in the DEIS.

**Page 2-44, 2.2.4.6 Subarea F. Hamakua - Puuoeahu.**

1. The proposed restroom is in very close proximity to existing homes. Residents have strongly objected to the restroom and parking lot in this residential neighborhood. The DEIS should address these concerns.
2. Residents and community organizations have expressed opposition to trails in Hamakua. Impacts such as proximity to residential areas, fire safety and others were expressed. How would access impacts differ from those experienced by neighbors of the Pill Box trail and the Haiku Stairs? The DEIS should address how the impacts can be mitigated, and why these community objections have not been discussed in the EISPN.
3. The DEIS should explain why a portion of the wetland next to the "program Staging Area" identified in Figure 2.11 as "Wetland Vegetation Buffer (typical)" was filled by DOFAW without replacing a like amount of wetland under the "no net loss" requirement. Figure 2.11 includes the wetland that was filled as part of an area designated for "Wetland Expansion." The DEIS should address this contradiction.
4. Figure 2.11 shows that the trails have a trailhead at the entrance to the Hamakua Drive and Hamakua Place neighborhoods, but have no exit at the Kailua Road end. The DEIS should address the appropriateness of a trail of this type and the impacts of parking for cars and tour buses at the trailhead staging area in the residential neighborhood.
5. Puuoeahu hillside is very steep and also very dry during certain seasons of the year (as seen in Exhibit 1.13). The danger of brush fires will be increased with hikers on the



trails. The fire safety hazard affecting the neighborhood and Kailua High School should be addressed in the DEIS.

6. The DEIS must address the number and type of users expected, as well as the cost of parking facilities, restrooms and maintenance.

**Page 2-47, 2.2.5 Project Phasing and Estimated Costs.**

1. There are no estimated costs included. These should be provided in the DEIS along with the funding sources and estimated timeline for funding availability.

2. It is stated that "proposed improvements can be implemented around the end of 2017...." However, most improvements suggested are not provided in sufficient detail to determine costs, impacts and mitigations. Developments are presented only in "conceptual" terms. This is consistent with a "programmatic" EIS which requires a future Environmental Assessment to provide the detail necessary to identify costs, impacts and mitigations of agency and applicant actions. There are numerous Environmental Assessment documents on file at the OEQC that provide examples of the type of detail that is missing for each of the "improvement projects" proposed in this EISPN. A recent one is the Hāna Pier Deck Removal EISPN (Direct to EIS). The DEIS should acknowledge that it is a draft of a programmatic EIS.

3. Are the proposed improvement projects in the plan subject to the Americans With Disabilities Act, (ADA) Title III, public accommodations?

Please send responses to the Kailua Neighborhood Board, Planning, Zoning and Environment Committee at the above address.

Mahalo,  
Planning, Zoning and Environment Committee

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Donna Wong, Chair  
Planning, Zoning and Environment Committee  
Kailua Neighborhood Board No. 31  
c/o City Neighborhood Commission  
925 Dillingham Boulevard, Suite 160  
Honolulu, Hawai'i 96817

Dear Ms. Wong:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 20, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. We have the following responses numbered to correspond to your numbered comments.

Project Summary

1. The project title is sufficient and the term "marsh" does not need to be included in the title. The Draft EIS identifies the Kawainui Marsh Wildlife Sanctuary in the introduction, and indicates the shortened reference "Kawainui" is used in the document.
2. A master plan report planned to be finalized after completion of this environmental review process is intended to serve as a framework and guide for DOFAW and DSP to seek future funding and program future improvements. It is intended to serve as a conceptual guide for these agencies by providing an overall master plan for the Kawainui-Hāmākua area. Project improvements covered under the Final EIS and included under land use entitlements obtained would be implemented. A programmatic EIS is not being prepared for this project. Project improvements proposed for implementation under the EIS are being addressed in compliance with Hawai'i's environmental review regulations. Other proposed actions that are not covered under this EIS process, and are not exempt under the State DLNR's exemption list, would require environmental review, as applicable.
3. We understand your concerns and opposition to visitors to Kailua, and your subsequent opposition to changes that may attract more visitors to Kailua and this project site based upon your comments. However, a main focus of the project includes wetland restoration and reforestation improvements that would enhance habitat for endangered waterbirds. The project supports Ramsar objectives, agency missions, provides managed public access and



outdoor recreation, and supports cultural practices. The interests of the entire State of Hawai‘i need to be considered because Kawainui is a state resource of international importance for the entire public to enjoy.

It should be noted that Ramsar supports sustainable tourism, recreational use, and cultural practices within designated international wetlands of importance. Ramsar views sustainable tourism as maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (e.g. pedestrian trails, education center, etc.) supporting these aspects recognized under Ramsar. Project improvements support educational programs by providing shelter and restrooms for students, and allows passive recreational use (trails) within designated upland areas furthering the observation and appreciation of nature and wildlife.

The Draft EIS discusses the project’s effects, and improved public access should not have a significant impact on these resources. Public access is occurring within upland areas and is not within the wetland, except for some boardwalk sections and observation decks to enhance visitor experience and educational programs. Flooding would also not be a significant factor impacting upland improvements constructed.

- a. Sufficient details of the education center planned at Pōhakea is provided in the Draft EIS to evaluate impacts. This includes information on projected visitors, educational programs, cultural practices, and stewardship opportunities. The actual design of the center would be determined when the design phase for this is implemented by DSP. However, the general concepts, floor area, uses discussed in the Draft EIS is sufficient to address impacts.
- b. The application of a carrying capacity concept is somewhat flawed because it is derived from biological models of the capability of resources to sustain a given number of animals over a period of time in a particular place. This does not translate readily into the management of human recreational experiences. The carrying capacity concept is also viewed to be problematic in the sense that it implies that there is an absolute threshold of (for example) visitor numbers below which there is no or minimal impact. In addition, capacity in relation to one variable is only practically meaningful when related to other linked variables. For example, the size of visitors that can acceptably be accommodated within an area would be dependent on other factors such as the behavior of visitors, the age of the visitors, the applicability of support improvements (e.g. paths), quality of education material and guidance provided visitors, etc.

Projected visitors to Kawainui are at levels not expected to cause intolerable visitor experiences (e.g. overcrowding) or significant degradation of upland areas, waterbird habitat, or supporting infrastructure requirements. Visitors would not be entering Kawainui’s large wetland area or disturb endangered waterbirds, and access would be managed, such as providing viewing opportunities at designated observation sites (e.g. viewing platforms). Acceptable visitor levels under such a capacity concept could also be much higher than that projected, but that doesn’t mean efforts would be taken by DSP and DOFAW to now increase Kawainui visitors up to maximum desired levels, such as now issuing commercial permits.

Rather than seeking to define the “correct” maximum capacity, a more feasible and practicable approach is to develop monitoring, planning, and management protocols



based on levels of impact or changes that consider both the receiving environment and the visitor experience. Therefore, the level of acceptable change from these factors can be more appropriately evaluated. The management approach would be focusing on achieving objectives defined in terms of staying within maximum acceptable deviations, such as variation in ecological conditions, visitor experiences, etc. Management options and monitoring would be more practicable and feasibly implemented to evaluate whether the amount of change occurring can be tolerated, changes to visitor experiences and satisfaction, and when steps should be taken to prevent further undesirable changes. The management options discussed in the Draft EIS support these efforts.

Page 1-1

1. The project consists of proposed improvements that are being studied in the Draft EIS. The “Plan” refers to the draft master plan that was published in May 2014 which served as the basis for the project described and studied in the Draft EIS. The Draft EIS clarifies this.
2. The project consists of proposed improvements that would be implemented by DOFAW or DSP within State property as discussed in the EISPN and Draft EIS. A programmatic EIS is not being conducted nor required for this project under Chapter 343, HRS. The project includes specific actions that are proposed to be implemented and are discussed in the Draft EIS in further detail.

Page 1-3. There is no inconsistency in the need for environmental review under State regulations. Project improvements proposed for implementation in the EISPN and further discussed in the Draft EIS would occur within State lands and/or include the use of State funds triggering environmental review under Chapter 343, HRS and Title 11, Chapter 200, HAR.

Page 2-19. It should be clarified that the ecological character of Kawainui is currently not that of a pristine resource needing preservation, but of a degraded resource that needs wetland restoration and upland reforestation to address the expansive invasive vegetation overtaking it. Thus, Kawainui should not be maintained in its current state, or “preserved.” The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua. The project reflects some areas of Kawainui that first need to be restored (wetland), and then managed with maintenance over time to keep invasive vegetation from retaking wetlands. Public access is proposed within upland areas that are similarly degraded with invasive vegetation growth, and proposed activities are viewed as appropriate for this upland area. Public access and passive outdoor recreation activity proposed for upland areas are appropriate to meet LWCF funded land requirements. Upland areas proposed for use were previously used as a City baseyard site and for ranch use for several years. The area from Kahanaiki to Pōhakea and Nā Pōhaku are appropriate for these activities and viewing Kawainui within LWCF funded areas. The education center planned at Pōhakea supports the management and monitoring of this area, along with educational and cultural programs conducted. The Wai‘aia area suggested as an off-site location is already being used for the pedestrian path supporting passive outdoor recreation. Other non-LWCF sites within Kawainui are similarly proposed for passive outdoor recreation, such as the Kawainui SPR, Kalāheo site and pedestrian trails within upland areas. Therefore, public access, educational programs, etc. would still occur at Kawainui in some form, and the current locations for improvements proposed within LWCF designated lands are appropriate.



The Draft EIS discusses the project's effects, and increased public access and activities meeting LWCF requirements should not have a significant impact on Kawainui's resources and environment.

Page 2-23. The Draft EIS includes a project description chapter that provides more information addressing items No. 1 to 6. Discussion of impacts from boardwalks for the pedestrian trails is included in the Draft EIS, and would not significantly impact waterbird habitat. It should also be noted that the purpose for boardwalks are to provide walking paths over wetlands. Pedestrian trails and accessory support facilities are intended to support public access within upland areas, which support educational programs and cultural activities. Improvements would support place-based educational programs for students and adults serving as a type of outdoor classroom for hands-on learning and experiences instead of trying to learn within a classroom. These improvements would support other project need and objectives (e.g. public access) and are not intended to preserve or enhance waterbird habitat since wetland restoration improvements would directly achieve this. The Draft EIS includes a section addressing cumulative impacts from these improvements. The Draft EIS includes information on projected visitors and traffic impacts. Buses would be used to transport people to the education and cultural centers as part of educational and cultural programs. The number of buses would be dependent upon the level of programs occurring, but would be fairly minimal, such as perhaps up to five (5) buses a week for this subarea.

Page 2-26 to 2-28

1. The education center would provide educational programs and orientation for visitors to Kawainui. This center is planned to be operated by DSP or a non-profit organization, and could include admission fees to support its operation, educational programs, and fund further restoration improvements. The estimated cost for this center is included in the Draft EIS, along with addressing impacts on endangered waterbirds and water quality.
2. A market analysis is not necessary for the education center because it is not a commercial or privately-owned operation. It is intended to provide educational programs and orientation for visitors, and support the community and visitors to Kawainui as part of DSP typical park amenities.
3. Wastewater from the education center would be processed using a septic tank system. Flows and processing details would be determined as part of the design phase when implemented by DSP. The Draft EIS includes information on estimated project costs and phasing implementation.
4. The structures in question are associated with the kauhale complex to be built and maintained by a selected non-profit organization, and is planned to support programs with the education center as discussed further in the Draft EIS. No residences are proposed for these structures. Their design is intended to follow traditional indigenous Hawaiian architecture, and the City has design standards that can be used for such structures. The size and costs of structures are discussed in the Draft EIS, and no infrastructure (sewer, water) is required for them.
5. The former ranch at this Pōhakea area is no longer present, and the site is under DSP jurisdiction. There is no conflict of management for this area, and the Draft EIS discusses this in more detail.



6. The Draft EIS includes more information on the concept for the education center, and is sufficient to address environmental impacts. A specific structure design plan is not necessary to address impacts.
7. Buses would come from the schools, universities, or location of organizations that are participating in educational or cultural programs. Commercial tour buses are not allowed at these sites unless issued permits by DSP, and DSP is not issuing such permits under this project.
8. The Draft EIS discusses projected visitors to this area.
9. The description of the kauhale complex and its magnitude does not indicate it being a typical Hawaiian style tourist destination. Unfortunately, that perception of this may be based upon misinformation on the project that has been spread throughout the community. This complex would be available for viewing by visitors, in addition to educational and cultural programs, because this area would support public access. The Draft EIS includes more information on this, and projected number of visitors. Commercial tour buses would not be allowed at this site.

Page 2-29

1. The Draft EIS includes cost estimates of drainage culvert improvements planned along Kapa'a Quarry Road. These drainage improvements are not a prerequisite to development of the cultural center in this Kapa'a subarea.
2. The Draft EIS discusses ownership of Kapa'a Quarry Road, and the City owns portions of the property for which this road runs. The City is a consulted party in the review of the EISPN and the Draft EIS, but is not participating in the preparation of documents. This road consists of an easement to the City for roadway and utility purposes across the various parcels affected. The cultural center's proposed access would utilize previous access locations used by the City for their former baseyard and vegetation processing activities. The City has not indicated any concerns with utilizing these former access locations, and coordination would occur with the City during the design phase for the cultural center when detailed plans are later developed by the selected non-profit organization.
3. It should be clarified that the cultural center planned at Kapa'a is not a tourist center since it would not be open to the general public as discussed in the EISPN and further in the Draft EIS. Unfortunately, that perception of this is likely due to misinformation on the project that has been spread throughout the community. The general relation of these cultural centers are discussed in the Draft EIS, along with their impacts on the environment.
4. The State can lease property for use by organizations for various activities, and is a common practice statewide. At Kawainui, two former ranches were issued revocable permits for many years, and ranch activities were not open to the general public. The cultural center is intended to support cultural practices, stewardship of their areas supporting DOFAW's maintenance of areas, and would include educational and cultural programs in coordination with DOFAW and DSP available for the community and providing a public benefit. It would not be a religious facility, such as a church.
5. There is no conflict, and it should be clarified that bio-retention systems are used to address stormwater runoff, and are not used for wastewater treatment. The State Department of Health (DOH) does not review or approve such drainage systems, and coordination with the City could be conducted to review such systems during the design phase as part of



- grading permits, if applicable. However, DOFAW and DSP would be responsible for reviewing and approving such development plans because this occurs within their State jurisdictional property. The State DOH would be responsible to review the wastewater system because this center would not be connected to the City's existing sewer system.
6. The type of material used to construct the cultural center would be determined during the design phase, and potential fire hazards from materials used would be considered. Structures could be designed to meet City building code requirements, but are not required because this occurs within State property. No commercial use is included with this center.
  7. The Draft EIS includes sufficient project information from which impacts can be addressed. Future EAs would not be prepared for implementation of the various improvements.
  8. The Draft EIS addresses climate change in the form of sea level rise impacts to the project. Based upon Geographic Information System (GIS) data from NOAA's web viewer, a 3-foot projected sea level rise would only affect low lying areas along the levee, wetlands at Wai'auia, and increase water levels at Hāmākua's wetland. Thus, facilities constructed within upland areas would not become part of the wetland.
  9. Structures planned within this subarea are not located within a special flood hazard area, and are not subject to the City's flood hazard design requirements.
  10. Areas designated to support cultural practices would be constructed and operated by non-profit organizations selected through the State's open and competitive procurement process to be determined later when being implemented, such as a Request for Proposals solicitation.
  11. A market analysis is not necessary for this cultural center because it is not a commercial or privately-owned operation. It would be constructed and operated by non-profit organizations for cultural practices and other program activities.
  12. The number of cars to the cultural center would be dependent upon the level of programs occurring, but should be fairly minimal throughout the day. Buses would only occur as part of educational or cultural programs, and would be low, such as perhaps one or two buses a week for this subarea. The Draft EIS discusses traffic impacts.
  13. The Draft EIS includes information on projected guests to this center.
  14. Guest visiting the cultural center would only be persons participating in programs and activities occurring, which would likely be residents from Kailua and the island of O'ahu. As already discussed, this center would not be open to the general public.
  15. The center would not connect to the existing municipal sewer system.

Page 2-32

1. The Draft EIS includes information on estimated costs to develop improvements at this park site. DSP would fund the park improvements, and a non-profit organization would be responsible to construct the hale wa'a.
2. A separate EA would not be prepared for this site because it is already being covered under this EIS process. Furthermore, all park improvements, except the hale wa'a, are already entitled and can be implemented now if DSP desires.
3. This park is not expected to have significant social effects on surrounding neighbors. The Draft EIS discusses social effects from this project.



4. Commercial tour buses are not permitted at this park site. Accommodating tour buses under DSP issued permits would not make this a similar to a commercial facility, which is not proposed.
5. A federal environmental document is not required for the area designated to support canoe launching.
6. The Draft EIS includes information on projected visitors and cars to this park site. As already discussed, commercial buses are not allowed. However, buses could be used to transport students and adults here as part of educational programs. Such bus activity would be very infrequent, perhaps a few times a year.

Page 2-35

1. The Draft EIS includes more information on the cultural center at Wai'auia, along with the general relationship of these various centers. The centers are intended for different cultural focuses and are appropriate. These centers would further support stewardship of areas helping DOFAW maintain these areas.
2. The center is not a school and would not need State charter school approval.
3. A separate EA would not be prepared for this site because it is already being covered under this EIS process.
4. Areas designated to support cultural practices would be constructed and operated by non-profit organizations selected through the State's open and competitive procurement process to be determined later when being implemented, such as a Request for Proposals solicitation.
5. The EISPN did address the proposed alternative plan, and this alternative would not meet the project's purpose and need. The Draft EIS addresses this alternative in more detail and why it was eliminated from further consideration. A major concern with the proposed alternative plan is that it does not support cultural practices and stewardship opportunities, public access, and passive outdoor recreation, but instead intends to restrict access and visitors. The Kailua Neighborhood Board's concerns and opposition to visitors to Kailua is well documented by their prior actions. However, the interests of the entire State of Hawai'i need to be considered because Kawainui is a state resource of international importance for the public to enjoy. Therefore, managed public access is instead proposed by the project, and to meet the purpose for this project.  
The EISPN and the Draft EIS discuss wetland restoration efforts proposed at Kawainui to reduce invasive vegetation and the floating mat consistent with the key recommendation from your alternative plan. The levee is an existing condition with this project and serves an important flood control function for lower residences of Kailua. The Draft EIS includes discussion of the levee, the area's hydrology, and water quality data. However, changing the current water flows associated with the levee is not part of the purpose for this project, and such requests should more appropriately be made to the U.S. Department of Army, Corps of Engineers that are responsible for the levee's construction.
6. The pedestrian trail within this area is not located within 30 feet from residences, and would not create serious privacy issues. The Draft EIS discusses fencing planned along the trail and at the state's property line as part of management activities for users. Residences at the Kūkanono subdivision are located considerable distances above the trail.
7. The boardwalk crossing some sections of the wetland is the desired trail route proposed. The boardwalk would not have a negative impact on habitat, and the Draft EIS discusses



this in more detail. Boardwalks are specifically designed and intended to allow crossing of wetlands, drainage-ways, and are commonly used in nature parks nationally. DOFAW maintenance vehicles are not planned to utilize these sections of the pedestrian trail.

Page 2-38

1. There is no conflict inherent in the description of improvements planned for Ulupō Heiau. The only improvements proposed under this project are adding a nursery and hālau that would support restoration, educational programs, and cultural practices at this site. Commercial activity is not allowed or being added under this project. DSP is working to address unauthorized commercial tours from visiting this site, and such activities do not occur on a daily basis. Furthermore, visitors to this area are not causing damage to lo'i or native plantings. A full-time curator operating at Ulupō Heiau, has been hired by a non-profit organization. His role has been to direct and coordinate cultural and educational programs and community service learning projects at Ulupō Heiau, Hāmākua, and Wai'auia. His efforts support DSP in monitoring and addressing unauthorized tours at Ulupō Heiau, and reflect examples of successful stewardship partnerships among DOFAW, DSP, and non-profit organizations.
2. Parking is not allowed along Kailua Road near a driveway serving the Ulupō Heiau site, and a "No Parking" sign is present allowing the police department to cite vehicles, if parked there. This parking situation is addressed in the Draft EIS.
3. The Windward YMCA is addressing their need to provide additional parking for their activities, and is separate from this project. The Windward YMCA property is not included under this project because that is privately-owned and DSP has no jurisdiction over its use. DSP has five parking stalls in the YMCA's rear parking lot dedicated for visitors to Ulupō Heiau, and this condition is discussed in the Draft EIS.

Page 2-41

1. Information on DOFAW's management station in the EISPN is sufficient, but the Draft EIS includes more details on this. Information on improvements planned at this management station in the Draft EIS is sufficient to address environmental impacts. A separate EA would not be prepared for this site because it is already being covered under this EIS process.
2. We are not aware of community concerns or requests for keeping Ulukahiki Street open. DOFAW has had some preliminary discussions with the City about adding a gate to the lower half of this street to provide a more secure entrance to their facility and increase their ability to manage visitors and activities in this area. Given your concerns with public access and management of visitors, such an improvement would actually support addressing those concerns. The lower half of this road is also not used by the community or public. Employees at the medical center do park along the upper section of this road, and would not be affected by such a gate.



Page 2-44

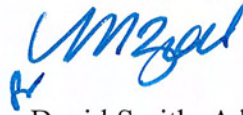
1. This area is already used for parking and as a staging area, and the project would improve this area to support DOFAW's management and maintenance of the area along with educational and cultural programs. The restroom would not support issues with homeless because the site is gated and locked, and DOFAW staff work there on an almost daily basis.
2. The EISPN and the Draft EIS further explains that a public pedestrian trail is not proposed within the Pu'uoeahu hillside. The management trails proposed on the hillside would be restricted and used for DOFAW's management and upland reforestation activities. DOFAW may occasionally have community service learning projects or other day events that would allow the public to visit this area. However, such activities would not result in problems with visitors because such day events would be managed by DOFAW staff, and returned to restricted access after such events.
3. DOFAW did not fill any wetland associated with Hāmākua. The project includes expanding the wetland by extracting material along the inland edges of the wetland. The Draft EIS discusses this improvement and its effects.
4. Please refer to responses No. 1 and 2 to address this comment.
5. Please refer to response No. 2 to address this comment.
6. The Draft EIS includes information on estimated costs to develop improvements at this site along with projected visitors participating in educational and cultural programs.

Page 2-47

1. The Draft EIS includes information on estimated costs to develop improvements, and identifies responsibilities for funding and phasing for implementing them.
2. The Draft EIS includes updated information on the phasing for this project over 20 years. The Draft EIS's discussion of conceptual plan improvements are of sufficient detail and information to address environmental impacts, and are at a level that is commonly provided in other environmental documents. A programmatic environmental document is thus not applicable nor required for this project, and is not being conducted. The EIS being conducted is at a project level with site specific details, such as proposed areas for facilities, approximate floor area and building footprints, etc. The EISPN does not need to have all the specific project detailed information because its purpose is to solicit comments to help set forth the scope of the Draft EIS. The EISPN is not intended to address project impacts in detail. Your reference to other EA documents on file with OEQC refers to Draft and Final EA documents that include project descriptions and discussion of impacts. That would more similar to Draft and Final EIS documents. The Draft EIS thus includes more project specific information and detail on improvements to allow impacts to be addressed. The project's Draft EIS includes this appropriate level of project detail to address impacts.
3. Certain facilities that would be open to the general public (e.g. education center) would be designed to meet ADA requirements. This includes some pedestrian trails from the education center's parking lot to the center. However, the majority of the pedestrian and foot trails would not be designed to meet ADA requirements.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



October 24, 2016

Ronald A. Sato, AICP  
HHF Planners, Senior Associate

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[www.thepaf.org](http://www.thepaf.org)

[Herblee@thepaf.org](mailto:Herblee@thepaf.org)

Ms. Marigold Zoll, O'ahu Forestry and Wildlife Manager  
State of Hawai'i  
Division of Forestry and Wildlife  
Department of Land and Natural Resources

Aloha Mr. Sato & Ms. Zoll:

Re: Letter of support and comment for the Proposed EIS on the Kawainui-Hamakua Marsh Complex Master Plan.

On behalf of the Pacific American Foundation, I support conducting an Environmental Impact Study and support the Kawainui-Hamakua Marsh Complex Master Plan in its entirety because of the following invaluable educational, recreational, cultural, and environmental gains:

1. The plan would accomplish restoration of the wetland ponds, thus opening up areas for endangered birds, fish, and estuary organisms.
2. The master plan would enhance educational access and quality by providing education facilities, trails, and viewing platforms for hands-on learning experiences.
3. The marsh plan recognizes that the Hawaiian presence, along with native Hawaiian cultural/educational centers at the marsh, is the key to its restoration and preservation, the continuation of educational and stewardship programs, and preservation of cultural sites there.

The plan confirms, not denigrates, this wetland and will restore it to some of its ancient preeminence. It has survived all the centuries of use, neglect and abuse, but still functions as a living organism, waiting to be restored to fuller utilization. It deserves to be shared, not fenced off, or relegated to secondary status. It deserves the respect and restorative efforts that the Kawainui-Hamakua Marsh Complex Plan provides and sanctions.

Three important things that the EIS should also address are:

1. Food sustainability and the potential to grow native foods in and around the marshes;
2. Establishment of minimum stream flows required to maintain the health of the marsh and its tributary streams as required by § 174C-71 protection of instream uses; and

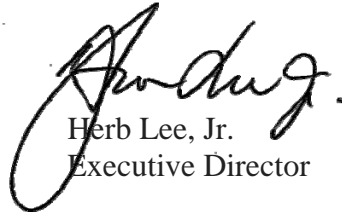




3. U.S. Army Corps of Engineers and DOFAW need to construct an underground conduit passage for the flow of water from Kawainui into the Hamakua Canal to re-establish managed water flow, and improve the water circulation and health of Kaelepulu Stream.

Thank you for your consideration. If there are any further questions, please do not hesitate to contact me at 808 927-5646 or email at [herblee@thepaf.org](mailto:herblee@thepaf.org).

Me ke Aloha,

A handwritten signature in black ink, appearing to read "Herb Lee, Jr.", written over the printed name and title.

Herb Lee, Jr.  
Executive Director

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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NOV 24 2017

Mr. Herb Lee, Jr., Executive Director  
Pacific American Foundation  
45-285 Kāneʻohe Bay Drive  
Kāneʻohe, Hawaiʻi 96744

Dear Mr. Lee:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, Oʻahu, Hawaiʻi**

Thank you for your letter dated October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We appreciate your organization's support of the conceptual plans proposed for the Kawainui-Hāmākua Master Plan project, and the Draft EIS will document the probable impacts associated with this project. We have the following numbered responses to your general comments supporting the master plan.

1. We concur that the project's proposed improvements would support restoring the ecological character of Kawainui and Hāmākua through wetland restoration and upland reforestation. Habitat would be improved for endangered waterbirds and aquatic resources.
2. Other improvements would support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), regulatory requirements for public access and outdoor recreational opportunities, and increase educational programs and stewardship opportunities. Accessory support facilities planned, such as restrooms, shelter, observation decks, and trails would improve access within upland areas to support educational programs and activities.
3. The plan recognizes Kawainui's importance to native Hawaiian culture, and provides non-profit organizations with an opportunity to establish a permanent presence to conduct cultural practices, educational programs, and participate in the stewardship of this resource and cultural sites. We concur that this important State resource should be shared with the public through managed public access to facilitate educational programs, cultural practices, and outdoor recreation for the enjoyment of all.



We have the following numbered responses to your comments on the master plan.

1. DOFAW supports food security, food-forests and agroforestry. The Division has planted ulu and banana trees at Kawainui, and are open to other agroforestry efforts. Currently, lo'i kalo and other traditional crops are grown around Nā Pōhaku, Pōhakea, and Ulupō Heiau as a component of educational and cultural practices. The project's conceptual plans would support continuation of these activities, and also allow for such activities to be conducted at the cultural center planned at Kapa'a. However, larger scale agriculture or aquaculture production as part of food sustainability for the community or public needs to be balanced with the need to protect and manage native wildlife species. Food production activities would be encouraged where appropriate, but will be limited in scope due to relatively limited land area and the need to manage native species as part of the mix. Activities considered commercial agricultural production that would conflict with native species' habitat restoration would not be compatible. Kawainui's wetlands are flood-prone, and intended to serve as habitat for endangered waterbirds as part of the State's wildlife sanctuary, both of which would conflict with larger scale agricultural production and activities.
2. The establishment of minimum stream flows to protect the public interest in State waters, as discussed in § 174C-71, Hawai'i Revised Statutes, aligns with DOFAW's mission to protect watersheds and native ecosystems, which include Kawainui's streams and tributaries. The establishment of permanent standards is determined on a stream-by-stream basis by the Commission on Water Resource Management (CWRM). The project does not need establishment of these standards as a means of achieving its agency mission or project objectives. Wetland restoration efforts to remove the invasive growth of vegetation is more pertinent to restoring the health of this resource, and to support its function for flood control. Restoration improvements are proposed to achieve these goals. The project does not include any diversions of water that could impact stream flow.
3. The permanent water flow restoration between Kawainui's wetland and Kawainui Stream (also known as Hāmākua Canal) traveling towards Hāmākua will not be included as part of this project. We understand that a 2015 planning study explored the possibility of restoring partial water flow from Kawainui's wetland into Kawainui Stream. DOFAW would be evaluating the results of this experiment and other possible implications to their wetland restoration efforts to determine if they would want to alter this water flow change in the future. Such a project would need to be coordinated with other government agencies, and appropriate environmental studies and permitting would be pursued at that time.



Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

# Castle Medical Center



*Exceptional Medicine  
by Exceptional People*

Administration  
640 Ulukahiki Street  
Kailua, Hawaii 96734  
Tel 808-263-5142  
Fax 808-263-5143  
[www.castlemed.org](http://www.castlemed.org)

October 18, 2016

To whom it may concern,

Thank you for the opportunity to comment on the proposed EIS for the Kawainui-Hamakua Master Plan. Castle Medical Center is dedicated to our mission of caring for our community and sharing God's love. We appreciate the intention of the plan to provide additional outdoor space for individuals and families. There is a clear potential for increased health through physical activity on walking paths and reduction of stress through immersion in natural surroundings.

In regards to the Mokulana section and DOFAW Kawainui Management and Research Station, we are concerned about the potential for increased traffic along Ulukahiki. This is the only access point for the proposed additions to the DOFAW research station and is also the only access point for Castle Medical Center including emergency ambulance traffic. This could be especially problematic if this becomes a known visitor/tourism destination.

Sincerely,

A handwritten signature in black ink, appearing to read "Travis Clegg".

Travis Clegg  
Vice President, Operations

Mālama ana i kō kākou kaiaulu.  
*Caring for our community.*

Ka'ana i ke aloha o ke Akua.  
*Sharing God's love.*

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
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HONOLULU, HAWAII 96813

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NOV 24 2017

Mr. Travis Clegg, Vice President, Operations  
Adventist Health Castle  
640 Ulukahiki Street  
Kailua, Hawai'i 96734

Dear Mr. Clegg:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 18, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPEN) for the subject project.

We appreciate your comments and concur that there is clear potential for increased health through physical activity walking on pedestrian trails and reduction of stress through immersion in natural surroundings of Kawainui. The project's proposals for trails and passive outdoor recreation use within upland areas of Kawainui are intended to provide such opportunities for the public to exercise and enjoy the natural beauty of the area.

There would be some increased vehicle traffic along Ulukahiki Street as part of State DLNR, Division of Forestry and Wildlife's (DOFAW) research and management station activities along with passive outdoor recreational amenities provided at the end of this road. However, the number of increased DOFAW staff (12 persons) operating at this station should have minimal effect on traffic conditions along this road, and implementation of increased staffing would likely be phased over time. The Draft EIS includes more information on additional staffing at this station and discusses the project's effect on traffic conditions at this road's intersection with Kalaniana'ole Highway.

Outdoor recreational improvements located in this area would attract some visitors, however, the majority of visitors would be visiting the education center planned along Kapa'a Quarry Road. That center is intended to serve as the main site for visitors, providing educational and cultural programs, visitor information, access to Nā Pōhaku o Hauwahine, and for walking along the upland area from Kahanaiki to Pōhakea to view Kawainui's wetland. Within this Mokulana area, improvements are minor, support educational and cultural programs, and provide some accessory amenities (pavilion, observation deck) for persons using the pedestrian trail. It is anticipated that



most visitors to this section would likely be residents using the pedestrian trail as opposed to non-resident visitors. Therefore, the level of visitors accessing this area would be low. Vehicle traffic from visitors or DOFAW staff should have minimal, if any, impact or interfere with emergency ambulance access to your medical center. DOFAW also controls access to the parking area available to the public at the end of Ulukahiki Street, and can implement measures to restrict or limit access, if warranted.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

  
A small blue checkmark or initial is written to the left of the signature.

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

## Ronald Sato

---

**From:** Charles Lehuakona Isaacs Jr <palikea@hawaii.rr.com>  
**Sent:** Sunday, October 23, 2016 9:04 PM  
**To:** Ronald Sato; Marigold Zoll  
**Cc:** Steven Montgomery; Lauren Roth Venu; jamie.boyd@hawaii.edu; Ka'olu Luning; Richard Scudder; Tom Foye; Rae Isaacs; Charles L. Isaacs Jr  
**Subject:** Support of the Kawainui-Hamakua Draft Master Plan and EIS Preparation

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Aloha Kakou,

‘Ahahui Mālama i ka Lōkahi, its Board of Directors, staff and volunteers support moving directly to the preparation of Environmental Impact Statement without delay. Further, we support the Kawainui-Hamakua Marsh Complex Draft Plan in its entirety because of the following invaluable educational, recreational, cultural, and environmental gains:

\*The plan would accomplish restoration of the wetland ponds, thus opening up areas for endangered birds, fish, and estuary organisms.

\*The Master Plan would enhance educational access and quality by providing education facilities, trails, and viewing platforms for hands-on learning experiences.

\*The Plan recognizes that the Hawaiian presence, along with native Hawaiian cultural/educational centers at the marsh, are key to its restoration and preservation, the continuation of educational and stewardship programs, and preservation of known and yet to be discovered cultural sites.

The plan confirms, not denigrates, this wetland and will restore it to some of its ancient preeminence. It has survived centuries of use, neglect and abuse, but still functions as a living organism, waiting to be restored to fuller utilization. It deserves to be shared, not fenced off, or relegated to secondary status. It deserves the respect and restorative efforts that the Kawainui-Hamakua Marsh Complex Plan provides and sanctions.

Three important things we want to see incorporated into the Final Master plan:

1. Food sustainability and the potential to grow native foods in and around Kawainui to be stated as a matter of State, DLNR policy. It is vital for the State to make this declaration for Kawainui to be a model for cultural, wetlands restoration and food sustainability.
2. Establishment of minimum stream flows required to maintain the health of the marsh and its tributary streams as required by § 174C-71 protection of instream uses.
3. To construct an underground conduit passage for the flow of water from Kawainui into the Hamakua Canal to re-establish managed water flow, and improve the water circulation and health of Kaelepulu Stream.

In addition, we look forward to our participation—during the EIS public comment period—to discuss our management ideas that address the community's concerns regarding the number of visitors, parking areas and more.

Malama 'Aina,  
Lehuakona Isaacs  
President

‘Ahahui Mālama i ka Lōkahi

‘Ahahui Mālama i ka Lōkahi

To practice, promote and perpetuate a modern native Hawaiian conservation ethic

That provides for

A healthy Hawaiian ecosystem nurtured by human communities and serving as a model for local and global  
resource management

--

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DEPARTMENT OF LAND AND NATURAL RESOURCES  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. Charles Lehuakona Isaacs, Jr, President  
‘Ahahui Mālama i ka Lōkahi

palikea@hawaii.rr.com

Dear Mr. Isaacs:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email dated October 23, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. We appreciate your organization’s Board of Directors, staff, and volunteers’ support of the conceptual plans proposed for the Kawainui-Hāmākua Master Plan project, and the Draft EIS will document the probable impacts associated with this project.

We concur that the project’s proposed improvements would support restoring the ecological character of Kawainui and Hāmākua through wetland restoration and upland reforestation. Other improvements would support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), regulatory requirements for public access and outdoor recreational opportunities, and increase educational programs and stewardship opportunities. The plan recognizes Kawainui’s importance to native Hawaiian culture, and provides non-profit organizations with an opportunity to establish a permanent presence to conduct cultural practices, educational programs, and participate in the stewardship of this resource and cultural sites. We concur that this resource of State importance should be shared with the public to facilitate education, cultural practices, and outdoor recreation.

We have the following numbered responses to your comments on the master plan.

1. DOFAW supports food security, food-forests and agroforestry. The Division has planted ulu and banana trees at Kawainui, and are open to other agroforestry efforts. Currently, lo‘i kalo and other traditional crops are grown around Nā Pōhaku, Pōhakea, and Ulupō Heiau as a component of educational and cultural practices. The project’s conceptual plans would support continuation of these activities, and also allow for such activities to be conducted at the cultural center planned at Kapa’a. However, larger scale agriculture or aquaculture production as part of food



- sustainability for the community or public needs to be balanced with the need to protect and manage native wildlife species. Food production activities would be encouraged where appropriate, but will be limited in scope due to relatively limited land area and the need to manage native species as part of the mix. Activities considered commercial agricultural production that would conflict with native species' habitat restoration would not be compatible. Kawainui's wetlands are flood-prone, and intended to serve as habitat for endangered waterbirds as part of the State's wildlife sanctuary, both of which would conflict with larger scale agricultural production and activities.
2. The establishment of minimum stream flows to protect the public interest in State waters, as discussed in § 174C-71, Hawai'i Revised Statutes, aligns with DOFAW's mission to protect watersheds and native ecosystems, which include Kawainui's streams and tributaries. The establishment of permanent standards is determined on a stream-by-stream basis by the Commission on Water Resource Management (CWRM). The project does not need establishment of these standards as a means of achieving its agency mission or project objectives. Wetland restoration efforts to remove the invasive growth of vegetation is more pertinent to restoring the health of this resource, and to support its function for flood control. Restoration improvements are proposed to achieve these goals. The project does not include any diversions of water that could impact stream flow.
  3. The permanent water flow restoration between Kawainui's wetland and Kawainui Stream (also known as Hāmākua Canal) traveling towards Hāmākua will not be included as part of this project. We understand that a 2015 planning study explored the possibility of restoring partial water flow from Kawainui's wetland into Kawainui Stream. DOFAW would be evaluating the results of this experiment and other possible implications to their wetland restoration efforts to determine if they would want to alter this water flow change in the future. Such a project would need to be coordinated with other government agencies, and appropriate environmental studies and permitting would be pursued at that time.

We appreciate your desire to participate in future community meetings to discuss your organization's management ideas to address community concerns on visitors, parking, etc.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners





PO Box 342020 Kailua, Hawai'i 96734  
halauhikaalani@gmail.com

October 21, 2016

Ronald A. Sato, Senior Associate  
HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu HI 96813

Aloha Mr. Sato:

The board of directors of Hika'alani would like to express its ongoing and unanimous support for the Draft Kawainui-Hāmākua Complex Master Plan as released in the EISPN of September 2016.

We are a 501c3 non-profit organization dedicated to the restoration of land, culture, and identity at Kawainui. We are educators, scholars, and practitioners of Hawaiian culture with deep-rooted ties to our Kailua home. As such, we are especially appreciative of the plan's continued, cool-headed recognition of the critical role that a permanent Hawaiian cultural presence must play in the stewardship of Kawainui if the now much-degraded marsh is to become, again, the thriving, life-giving piko of our ahupua'a.

We have begun to put actions to our words by hiring Kaleomanu'iwa Wong (one of the new generation of navigator-captains of the Hōkūle'a, a fluent speaker of the Hawaiian language, a gifted orator, a lifetime resident of Ko'olaupoko, and a former native plant conservationist and resource management coordinator with the O'ahu Army Natural Resources Program in the Wai'anae and Ko'olau ranges) as a full-time kahu of Kawainui whose current assignment is to direct cultural education efforts, service learning projects, and 'āina reclamation activities at Ulupō.

In his year-and-a-half tenure as Pāku'i Hou (the original Pāku'i was the pond keeper of Kawainui in the days of old), Kaleo has instructed hundreds of Ko'olaupoko's elementary, intermediate, and high school students at Ulupō, Wai'auia, and Hāmākua; he leads monthly first-Sunday and second-Saturday Ulupō workdays sponsored by the Kailua Hawaiian Civic Club and 'Ahahui Mālama i ka Lōkahi; and he has had a major hand in the clearing of invasive trees and the re-opening of more than a dozen lo'i kalo on the Kūkanono slopes of the heiau.

Kaleo's work and its larger Hika'alani context can be found in more detail at the Hika'alani facebook page (<https://www.facebook.com/hikaalani96734/timeline>) and Hika'alani website (<http://hikaalani.website/index.html>). We offer the summary above in order to reiterate below what we think are two obvious points that are regularly and perhaps willfully ignored by many of the opponents to the Kawainui Master Plan.



First: There is not a hint of commercial activity in our Kawainui efforts and proposals; we have no intention, now or ever, of selling stuff, of accommodating “thousands” of tourists, or of running a Kawainui Disneyland and Polynesian Cultural Center. We are at Kawainui to nurture the natives and battle the invasives; it is our ‘āina and ancestor; it is not our money machine.

Second: We need permanent presence if we are to succeed at restoring Kawainui and if we are going to ensure the sanctity of what we have restored. Kaleo currently works out of the back of his truck; he and those he serves are itinerant, drive-up and drive-away participants. He ought to have facilities that are commensurate with his mission, at the very least: a sheltered meeting area, a native plant nursery, a secure tool shed, and most definitely a toilet, sink, and hose bib. He will tell you, and we can confirm through first-hand observation, that the more he and his service-learners are there, the less abused the place becomes. We need to encourage this capacity for vigilance; Kaleo is, in fact, on the front-line of defense against the incursions that our critics would attribute to our own presence.

The same principles – facility commensurate with mission, increased capacity for vigilance – hold true for the proposed learning center at Wai‘aui. If we are to teach, study, and practice the highest expressions of our language and practical arts; if we are to properly care for and protect the bones of our ancestors; then we need more than an open-sided, gravel-floored hut to which, in good weather and daylight hours, we can drive, unpack, do “our thing,” and, when pau, pack up again. We envision a marae, not a base camp.

*Marae*, as we understand it, refers to a sacred enclosure that consists of an open, ceremonial space (marae ākea) and a cluster of hale that serves the cultural needs of the kānaka honua (native people) of that place. The largest hale at a marae is meant to gather its people in the embrace of their ancestors; it is, in fact, a physical manifestation of those ancestors. The smaller, auxiliary spaces (sometimes attached to the hale nui, sometimes free-standing) include cooking, instructional, caretaker, and restroom facilities. Often, but not always – a marae is also home to a pā ilina or urupā, a burial ground.

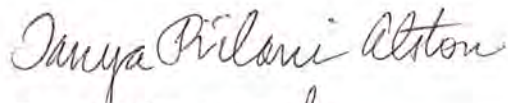
A marae, as we understand it, is defined by place and presence. A marae is a place designed by its people to bind its people to who they are. It is a place of refuge, continuity, and regeneration for these people. It is a place where they are most uncompromisingly present. Their marae is central to their cultural identity, especially when their identity is threatened by those who would discredit and marginalize them. It cannot be a marae if it is defined for them by others. Nor can it be a marae if its use is regulated for them by others.

*Marae* is a Maori word. Its specific Hawaiian language equivalent is *malae* (a cleared space), but its more accurate connotative equivalents include *pu‘uhonua* (place of refuge), *kīpuka* (oasis of continuity in a landscape of change), and *piko* (center, nexus, connection point). We envision each of the proposed Hawaiian educating/sharing/practicing centers at Kawainui – the culture complex below the transfer station, the canoe facility below Kalāheo School, the center for excellence at Wai‘aui, and the garden-temple at Ulupō – as marae, pu‘uhonua, kīpuka, and piko, each with its own cluster of hard and soft spaces, each facing and serving the largest and most inspiring of our marae ākea: Kawainui itself. Together these places of regeneration embrace us, and we them, and allow for the fullest expression and transmission of who we are.

The modified Draft Kawainui-Hāmākua Complex Master Plan and EISPN of September 2016 – though not a complete expression of our desire for a permanent and thriving Hawaiian cultural presence at Kawainui – was indeed produced with Hawaiian community input, does accommodate our vision of a “permanent, thriving presence,” does credit us with leadership and integrity, and definitely gives us the opportunity to pursue our vision in our own generation. For this we are most grateful.

We look forward to further communication, and we ask that we be included in the EIS process as a “consulted party.”

‘O au nō me ka ha‘aha‘a,



Tanya Pi'ilani Alston

cc: Ms. Marigold Zoll, Oahu Forestry and Wildlife Manager, DOFAW

Hika‘alani

President: Tanya Alston. Vice President: Kahulu De Santos. Secretary: Melody MacKenzie.  
Treasurer: Charlene Luning. Director: Kauka de Silva.



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Tanya Pi'ilani Alston  
Hika'alani  
P.O. Box 342020  
Kailua, Hawai'i 96734

Dear Ms. Alston:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 21, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. The Hika'alani organization has been added as a consulted party, and will receive a copy (CD) of the Draft EIS when published for review.

We appreciate your organization's support of the draft Kawainui-Hāmākua Master Plan, and project concepts described in the published EISPN. We appreciate you sharing information on your organization, and agree that providing opportunities for non-profit organization to establish a permanent cultural presence at Kawainui would support stewardship of areas, cultural practices, and educational opportunities.

DOFAW and DSP appreciate your organization's effort and commitment in hiring Mr. Wong to serve as a curator at Ulupō Heiau. We also appreciate his efforts in directing and coordinating cultural and educational programs and community service learning projects at Ulupō Heiau, Hāmākua, and Wai'auia. Thank you for information on your organization's websites that provide more information on these activities. These efforts reflect examples of successful stewardship partnerships among DOFAW, DSP, and non-profit organizations.

We concur that commercial activities are not included as part of cultural centers developed and operated by non-profit organizations for cultural practices and educational programming. We agree that the characterization of proposed cultural centers being a type of Polynesian Cultural Center reflects an exaggeration of this concept that may be partly based upon misinformation on the project that has been spread throughout the community.



The project provides non-profit organizations with the opportunity to establish a permanent presence at Kawainui to conduct cultural practices and support DOFAW with stewardship of areas. DOFAW and DSP believe that having a permanent presence supports the long-term commitment and partnership envisioned with non-profit organizations. We believe that having a permanent presence at areas, which includes curators, does support improvement management and monitoring of areas.

The nursery planned at Ulupō Heiau can be designed to include a small storage area for equipment, tools, and materials used as part of restoration, cultural, and educational programs. This nursery can include a sink with hose bib connection, which are accessory improvements for this use. A hālau proposed at Ulupō Heiau would also provide a sheltered meeting area for activities.

Restrooms are also important for supporting programs and stewardship activities at Ulupō Heiau. Unfortunately, the area planned for bathroom improvements under the Draft Master Plan (June 2014) is privately-owned by the Windward YMCA. The project being studied in the Draft EIS only includes State-owned property associated with Kawainui and Hāmākua, and privately-owned property are not included since those owners would determine their own future use of their property. If DSP acquires some area within this Windward YMCA property in the future, DSP would develop separate plans that can include restroom facilities along with conducting an environmental review.

We appreciate the information describing and discussing the marae concept, which is generally consistent with the concepts associated with the proposed cultural centers described in the Draft EIS. Areas designated for the establishment of cultural centers supporting cultural practices would be constructed and operated by non-profit organizations selected through the State's open and competitive procurement process, such as a Request for Proposals solicitation. We believe each of the areas around Kawainui proposed for cultural centers provide unique opportunities to support different types of cultural practices, such as the sport of canoeing, environmental restoration, etc. These areas are intended to provide a permanent presence that would support the purpose for the project and objectives, agency missions, and create desired stewardship opportunities in partnership with both DOFAW and DSP.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



# Kailua

**HAWAIIAN CIVIC CLUB**

P.O. Box 1123, Kailua, Hawai'i 96734

October 17, 2016

HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, Hawaii 96813  
Ronald A. Sato, Senior Associate

Aloha Mr. Sato,

Although the latest revisions to the Draft Kawainui-Hāmākua Complex Master Plan (EISPN, September 2016) include the elimination of a much-hoped-for rest room at Ulupō, the Kailua Hawaiian Civic Club continues to endorse –with hope and enthusiasm – the current Draft Master Plan and, in particular, its support of native Hawaiian cultural practices and resources as stipulated in the DSP and DOFAW core-value statements and in Article XII of the State Constitution.

We have said this before, but it bears repeating: We need to care for the bones of our ancestors. We need to honor our gods and keep their dwelling places in good order. We need to grow the food that is our older brother. We need to conduct our ceremonies, dance our dances, chant our chants, and tell our stories. And we need to teach all of this to our children and grandchildren so that they are not lost to us.

The Draft Master Plan provides us with the opportunity for permanent presence and real stewardship. It allows us to be more than visitors in the heart of our own homeland. And this, we believe, is a right to which we are entitled and a challenge for which we are well-prepared.

As for the loss of the proposed Ulupō rest room: We work regularly at and below the heiau with elementary, intermediate, high school, and college students. With community volunteers, with hālau hula, with women from the Olomana correctional center, with our own club members, and with our 'Ahahui Mālama i ka Lōkahi partners. With as many as 80 people on a single workday. The absence of such obvious necessities as a toilet, sink, and hose-bib continues to place unfortunate limitations on all of our activities. We would like to relieve ourselves, wash our hands, and rinse off the mud. We understand the difficulties of planning a rest room on property that the State does not (yet?) own, but we are still hopeful that the Master Plan can somehow accommodate a locked, very minimal “caretaker’s” facility on the project grounds -- perhaps in conjunction with the plant nursery which is located in what appears to be close proximity to the Manu 'Ō'ō Rd. water and sewer lines.

We look forward to further communication on these matters and we ask, per your EISPN instructions, that we be included in the EIS process as a “consulted party.”

‘O au nō me ka ha‘aha‘a,

Māpuana de Silva

Pelekikena: Māpuana de Silva

Hope Pelekikena 'Ekahi: Kapalā'ula de Silva

Hope Pelekikena 'Elua: Kīthei deSilva

Pu'ukū: Ka'olu Luning

Kākau 'Ōlelo: Puakenamu Leong

Nā Alaka'i: Nancy Cullen, Sharman Elison, Charlanī Kalama, Makanani Akiona, Maya Saffery

Pelekikena Mamua A'e: Pohai Ryan



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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NOV 24 2017

Ms. Māpuana de Silva, President  
Kailua Hawaiian Civic Club  
P.O. Box 1123  
Kailua, Hawai'i 96734

Dear Ms. de Silva:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 17, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. The Kailua Hawaiian Civic Club has been added as a consulted party, and will receive a copy (CD) of the Draft EIS when published for review.

We appreciate your organization's support of the conceptual plans proposed for the Kawainui-Hāmākua Master Plan project, and concur that the project is intended to support native Hawaiian cultural practices as part of agency missions and Article XII of the State Constitution.

The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua in the form of wetland restoration and upland reforestation. The project includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and regulatory requirements for public access and outdoor recreational opportunities.

It would further create stewardship opportunities with non-profit organizations, which would improve management of the area and support implementing cultural and educational programs. The project provides non-profit organizations with the opportunity to establish a permanent presence at Kawainui to conduct cultural practices and support DOFAW with stewardship of areas. The project also incorporates the already permitted reinterment site occurring at the Wai'auia area, which supports the care of iwi kupuna. The Draft EIS includes more project information that addresses these objectives along with the likely environmental impact.



We note your comments regarding the removal of the restroom at Ulupō Heiau. DOFAW and DSP agree that restrooms are important for supporting stewardship activities at Ulupō Heiau. We agree that the many stewards supporting cultural restoration efforts at Ulupō Heiau should have a bathroom facility.

Unfortunately, the area planned for bathroom improvements under the Draft Master Plan (June 2014) is privately-owned by the Windward YMCA. The project being studied in the Draft EIS only includes State-owned property associated with Kawainui and Hāmākua. It is thus inappropriate for this project to propose and study improvements for other privately-owned property because those owners have the right to determine their own future use. If DSP acquires some area within this Windward YMCA property in the future, DSP would develop separate plans along with conducting an environmental review. Such plans could then include restroom facilities for Ulupō Heiau.

The nursery planned at Ulupō Heiau can be designed to include a small storage area for equipment, tools, and materials used as part of restoration, cultural, and educational programs. This nursery can include a sink with hose bib connection, which are accessory improvements for this use.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

## Ronald Sato

---

**From:** Kekahua o Kualii <kekahua@gmail.com>  
**Sent:** Monday, October 24, 2016 10:17 AM  
**To:** Ronald Sato  
**Cc:** marigold.s.zoll@hawaii.gov  
**Subject:** RE: Comments on the Kawainui-Hāmākua Master Plan Project EISPN

October 24, 2016

HHF Planners  
Attn: Ronald A. Sato, AICP, Senior Associate  
733 Bishop Street, Suite 2590  
Honolulu, HI 96813

### **RE: Comments on the Kawainui-Hāmākua Master Plan Project EISPN**

I am writing to provide comments on the proposed draft of the Kawainui-Hāmākua Master Plan EISPN. I recognize the time and effort that has been put into this development plan and greatly appreciate careful consideration to the following comments as well as all comments and concerns that are sent in regarding this ‘āina.

It is requested that the EIS provide an in-depth review of the Ramsar designation of Kawainui and its eligibility, since 1979, for National Register of Historic Places. It is requested that the EIS explain and summarize the eligibility process of Kawainui-Hāmākua as a Traditional Cultural Property and summarize why the eligibility has not been moved forward and how it may be moved forward as part of this development plan. It is also requested that a complete review of all archeological work done in Kailua is listed and included in the EIS and a table of all archeological sites is provided and a summary of the process that will be used to determine which sites will be disturbed or destroyed due to development.

The current wording used in the EISPN is ethnocentric and minimizes the commitment Ke Kahua O Kualii has made to the ‘āina as a Native Hawaiian not-for-profit organization. The use of the word “temporary” on page 1-17, marginalizes the organization’s efforts and over simplifies the organization’s work. It is articulated again on page 2-28 that the land is begin “used on a short-term basis by a Native Hawaiian organization” in so much as “focused on Hawaiian settlement and Polynesian-introduced plants” on page 3-22. Ke Kahua O Kualii is a Native Hawaiian 501(c)(3), 100% community volunteer based, and has organized volunteer days for more than four years. Ke Kahua O Kualii has exceeded 1,600 volunteer hours in 2015 and will have organized over 1,800 volunteer hours by the end of 2016. The EISPN has also overlooked that this organization has been annually celebrating cultural ceremonies and religious freedoms at Pōhakea. It is requested that the EIS seriously implement a process and policies to protect the religious freedoms of Native Hawaiians that visit this ‘āina, and all of Kawaianui as reflected in the American Indian Religious Freedom Act (AIRFA) of 1978 and the Traditional and Customary Rights of the Constitution of the State of Hawai‘i where the State reaffirms and shall protect all rights, customarily and traditionally exercised for subsistence, cultural and religious purposes and possessed by ahupua'a tenants who are descendants of native Hawaiians who inhabited the Hawaiian Islands prior to 1778.

It is requested that the Kauhale Project at Pōhakea be addressed as a stand-alone project and independent of the Education Center. EIS should seriously consider the submission of two, separate and independent, RFPs; one

for the Kauhale Project and the other for the Education Center, at Pōhakea.

It is also requested that the EIS insert and acknowledges its task to approach the EIS process without ethnocentrism and to avoid ethnocentric language to protect and safeguard the culture and integrity of Native Hawaiians and Native Hawaiian organizations. Ethnocentrism is defined as “viewing the world and the people in it only from the point of view of one's own culture and being unable to sympathize with the feelings, attitudes, and beliefs of someone who is a member of a different culture.”

<https://www.nps.gov/nr/publications/bulletins/nrb38/nrb38%20introduction.htm#tcp>

Lastly, as stated by so many in our community: do we really need so many structures, parking lots, and walkways to teach the cultural importance and significance of Kawainui and Hāmākua?

Thank you for this opportunity to comment on this project. It is imperative that the EIS removes ethnocentric bias and uses the EIS as a unique opportunity to create real change firmly rooted in the ‘āina first and thereby, advocating Hawaiian culture.

--

Mahalo nui loa,

### **Ke Kahua O Kūali'i**

Visit us on [www.kekahua.org](http://www.kekahua.org)

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GOVERNOR OF HAWAII



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LAND  
STATE PARKS

NOV 24 2017

Ke Kahua O Kūali'i  
[kekahua@gmail.com](mailto:kekahua@gmail.com)

To Whom It May Concern:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your email dated October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

The Draft EIS provides background information on Ramsar and discusses the project's relation to pertinent Ramsar objectives and policies. An in-depth review of the Ramsar designation for the Kawainui-Hāmākua area is not necessary because this is already an established designation, and information on Ramsar is already publicly available on Ramsar's website. The project includes improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and regulatory requirements for public access and outdoor recreational opportunities, and cultural practices.

Kawainui is discussed as being eligible for the National Register of Historic Places in the Draft EIS, however, an in-depth review of its eligibility is not necessary. The Draft EIS includes an archaeological study, information on historic sites within the project area and impacts, and a discussion of the factors contributing to Kawainui's eligibility.

The Draft EIS does not need to explain the eligibility process for Kawainui-Hāmākua as a traditional cultural property (TCP) as information on that process is readily available from the U.S. National Park Service. Pursuing eligibility as a TCP is not required for this project or to address project impacts. There are no plans to try to designate this site as a TCP, however, DOFAW and DSP may consider this in the future.

The Draft EIS discusses the prior archaeological studies conducted for the project area, and addresses the project's impact on historic sites. No significant archaeological sites would be adversely impacted or destroyed by the project. Other archaeological studies for areas of Kailua outside of the project area are not pertinent to this project because no improvements are being



proposed there. DOFAW and DSP has and would continue consulting with the State Historic Preservation Division on management and operational activities to ensure historic sites are not impacted because of the sensitivity understood with this area.

We disagree that the wording used in the EISPN is ethnocentric. The EISPN and Draft EIS are written as objective documents to allow agencies and the public to review the effects of the project. These documents do not characterize or reflect one ethnic group as being superior.

Page 1-17 of the EISPN does not use the word "temporary", but does correctly state that Ke Kahua is using the former ranch site in the "short-term" for cultural practices. The Draft EIS discusses a 5-year agreement issued by the Land Board to Ke Kahua to continue cultural practices and make improvements to support public access and educational programs in that Pōhakea area. Future uses proposed for this Pōhakea site would be determined through the State's procurement process to select a non-profit organization to implement improvements and manage the area. DSP appreciates the work that your organization has done to improve this area that was formerly authorized under a revocable permit specifically for ranch activities for many years, and acknowledges that your organization has conducted cultural ceremonies at this site as now appropriately authorized under the agreement. The Draft EIS discusses how project improvements would support cultural practices and traditional and customary rights.

The kauhale complex proposed at Pōhakea is not a stand-alone project, and is not independent of the education center. As discussed in the Draft EIS, these two areas are proposed to support public access, and accommodate educational and cultural programs. The non-profit organization selected to construct and manage the kauhale complex would be required to support public access, and participate in educational and cultural programs in coordination with the education center operations. DSP or a non-profit organization could construct and manage this education center, and would include coordination of activities associated with the kauhale complex

As discussed, the Draft EIS is written as an objective document without ethnocentric language toward native Hawaiians or other ethnic groups to allow agencies and the public to review the effects of the project. The document is not written from one point of view for any particular ethnic culture. Furthermore, the project includes several opportunities to support cultural practices.

The project includes improvements that support Ramsar objectives, agency missions, regulatory requirements for public access and outdoor recreational opportunities, and cultural practices. To support these activities, improvements are needed. Support facilities also benefit stewardship activities and opportunities, and provides opportunities for the public to experience and learn about the wetland areas through trails, viewing platforms, and an education center. The level of improvements proposed are not extensive and intended to support activities and programs conducted by DOFAW as part of the management activities and non-profit organizations managing the cultural centers.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners





## Hawaii's Thousand Friends

300 Kuulei Road, Unit A • PMB 281 • Kailua, HI 96734 • Phone/Fax: (808) 262-0682 E-mail: htf3000@gmail.com

October 21, 2016

Department of Land and Natural Resources  
Ms. Marigold Zoll  
Oahu Forestry and Wildlife Manager  
Division of Forestry and Wildlife  
P O Box 621  
Honolulu, Hawai'i 96809

HHF Planners  
Mr. Ronald Sato, AICP, Senior Associate  
733 Bishop Street, Suite 2590  
Honolulu, Hawai'i 96813

### Kawainui-Hamakua Master Plan Project Environmental Impact Statement Public Notice (EISN)

Hawaii's Thousand Friends requests to be a consulting party and has the following comments.

As one of the applicants to file for Ramsar designation of Kawainui Marsh and Hamakua Marsh as a Ramsar *Wetland of International Importance* Hawaii's Thousand Friends is aware of the cultural, archaeological, historical and ecological significance of this wetland complex.

Unfortunately the Kawainui-Hamakua Master Plan Project is geared more toward human use than historical, archaeological, ecological, flora, fauna and water (quality and quantity) preservation and restoration.

The 138 page Kawainui-Hamakua Master Plan Project, which affects the entire 1000-acre Kawainui wetland and wetland watershed and the 23-acre Hamakua wetland and wetland watershed, does not identify effects of each proposed action and/or project on the wetlands and wetland watersheds and does not include the following:

This information must be in the Draft and Final Environmental Impact Statements.

1. Locations and number of restrooms and kitchen facilities that will hook up to the municipal sewer system and if and when hook up is available.

2. Locations and number of restrooms and kitchen facilities that will not hook up to the municipal sewer system.
3. Description of types of alternative sewage treatment systems to be used at each of the restroom and kitchen facilities not connected to the municipal sewage system.
4. Locations and number of restroom and kitchen facilities that will hook up to the Board of Water Supply system and if and when hook up is available.
5. Locations and number of restroom and kitchen facilities that will not hook up to the Board of Water Supply system and information on where these facilities will get fresh water.
6. Comparison of number of cars and visitors, on a daily/yearly basis, to Kawainui and Hamakua wetlands and wetland watershed anticipated under this Plan compared to the daily/yearly number of cars and visitors since 2005 when the wetlands were accepted as a RAMSAR site.
7. Identification of best management practices that will be used to remove and prevent invasive species and the entity/entities or agencies responsible for ensuring that those practices are followed and enforced.
8. Information on the types of commercial activities that will be allowed within Kawainui and Hamakua wetlands and wetland watersheds.
9. The number of permits for commercial activities that can be given within Hamakua and Kawainui marsh State Wildlife Sanctuaries.
10. Information on how the restriction of 100 visitors, Chapter 13 *List of wildlife sanctuaries in which commercial activities may be permitted*, will be enforced and controlled and identification of entity(ies) responsible for enforcing the 100 person limit in both the 1000-acre Kawainui wetland and wetland watershed and 23-acres of Hamakua wetland and wetland watershed.
11. Information on if the Department of Land and Natural Resources intends to nominate Kawainui marsh, which is a Traditional Cultural Property and Cultural Landscape eligible for listing on State and National Register of Historic Places, to the State and National Register of Historic Places.
12. The Plan does not contain any development guidance or standards to ensure that the natural and cultural resources of Kawainui and Hamakua wetland and wetland watershed are protected.
13. Information on how the Department of Land and Natural Resource's (DLNR) responsibility as trustee to preserve and manage Kawainui wetland and the watershed that supports the wetland in the interest of the public will be met and ensure that the wetland and its watershed will not be exploited by development interests.



14. Explicit limitations on all projects to ensure that the various developments do not have an adverse effect on the feeling, setting, association, natural and cultural integrity of historic Kawainui wetland and wetland watersheds.
15. The types of design guidelines, standards, and justifications that will be used for construction of projects within Kawainui wetland and the watershed that supports the wetland and how all of these projects will contribute to restoration of the natural resources of the Marsh and its environs.
16. An inventory or list of the proposed treatment type for each known cultural and archaeological feature and site - preservation in place, restoration, relocation, document and interpret.
17. The protocol for discovery of unknown and yet to be discovered sites and features and the treatment guidelines and consultation protocol for each newly discovered site and feature.
18. Sites identified in the Plan that will be closed to the public for private exclusive use and the justification for closure of these public trust wetlands for activities that are not directly related to the preservation and restoration of the wetlands, their watershed and their water supply and Criteria 1, 2, 3 and 8 of the Ramsar Convention, and under what circumstances the general public will be excluded from public land.
19. DLNR's fiduciary obligation to protect trust resources and prevent private appropriation and how this obligation will be met.
20. Identification of precautionary measures that will be used as preventative action in the face of uncertainty.
21. A current hydrological and water quality analysis to establish current baseline data on water movement, water quantity and water quality.
22. An explanation as to why the title and purpose of the Plan has changed from an update of the 1994 Kawainui Marsh Master Plan, to Kawainui-Hamakua Complex Master Plan Update Project to the current Kawainui-Hamakua Master Plan Project.
23. An explanation of why the word *marsh*, which defines Kawainui and Hamakua, has been dropped from the title of this plan.
24. An implementation plan that outlines various options for managing implementation of this Plan and outlines a facilities development and management strategy.
25. A soil type and stability, water quality and quantity analysis for each site where construction and development projects such as trails, roads is identified in the Plan.



26. Flood modeling that evaluates the hydraulic conditions (water surface elevations and velocities) associated with the occurrence of the 100-year flood events, analysis of flood capacity and alternatives that address the flooding problems for Kawainui wetland and adjacent residential areas.
27. Current estimates of sediment delivery rates from Maunawili Stream, Kawasaki Stream and Kapa`a Stream into Kawainui wetland and wetland watershed.
28. Identification of persistent erosion sites impacting Kawainui wetland and wetland watershed and management and restoration practices to be used to control erosion.
29. A vegetation location map identifying areas of native and alien vegetation in Kawainui and Hamakua wetlands and wetland watershed.
30. A list of meetings and discussions with individuals, agencies and organizations.
31. How DLNR will meet its obligation under Ramsar to maintain the ecological character and integrity of Hawaii's only Ramsar site.
32. Information on the ecological significance of Kawainui wetland and how the wetlands will be managed and protected to ensure the continuation of biological diversity for the four endangered waterbirds.
33. Management and restoration efforts to open migration, ocean to mountain streams, pathways through Kawainui wetland for endemic and indigenous aquatic fauna.
34. Management and restoration efforts to improve wetland habitat for native invertebrates such as `opae kala`ole and `opae `oeha`a.
35. Information on types of closure mechanisms that will be used to protect nesting birds and sensitive cultural areas in the wetlands and wetland watersheds of Kawainui marsh and Hamakua marsh.
36. Explanation of how endangered and migratory birds will be protected at each site slated for projects and public access.
37. A comprehensive discussion and identification of mechanisms that will be used to protect endangered water birds from people, mongooses, rats and feral cats and dogs.
38. Identification of sensitive areas that will be fenced and type of fencing that will be used to protect for four endangered waterbirds.
39. An explanation of how the Army Corps of Engineers created ponds, under "no net loss," satisfies components of the 1994 Master Plan and/or fulfills U.S. Fish and Wildlife recommendations.



40. An evaluation of the efficiency of the Corp of Engineers created eleven ponds with regard to adequate water in each of the ponds to provide habitat and foraging areas, adequate water flow into and out of each of the ponds, creation of waterbird habitat and foraging areas in each of the ponds, and prevention of stagnant water and how, if needed, efficiency will be significantly improved.
41. A plan for ongoing research that will provide data important for understanding and managing the biota and other natural resources within Kawainui and Hamakua wetlands and wetland watersheds.
42. Information on how water sources will be found and provided for each of the eleven ponds and water levels managed to achieve maximum nesting successes and prevent stagnant, anoxic habitat for endangered and migratory waterbirds.
43. Prioritization of whole-scale removal of invasive vegetation, including the floating mat from Kawainui marsh to increase flood control capability, waterbird habitat and foraging areas.
44. A plan to remove invasive vegetation from and maintain the ditches on both sides of Kapa`a Quarry Road. The ditch below the old landfill, now an industrial park, on the mauka side of the road and the ditch along side the model airplane field so the ditches can filter contaminants leaching from the abandoned landfill and Kapa`a Stream as required and designed to prevent polluted water from entering into the Class 1 waters of Kawainui marsh.
45. A section on impacts to Kawainui wetland and wetland watershed from industrial uses in Kapa`a Valley and a plan to mitigate and improve water quality in the TMDL (Total Maximum Daily Load) Kapa`a Stream to prevent polluted water from entering into the Class 1 waters of Kawainui wetland and wetland watershed.
46. A limnological study of the Kawainui wetland and wetland watershed to analyze the biological, chemical, physical, geological, and other attributes of all inland waters (running and standing, fresh and brackish, natural or man-made) including the study of ponds, springs, streams and wetlands.
47. An explanation of why archaeological sites identified on maps in the plan titled Kawainui-Hamakua Complex Master Plan are omitted from this Plan – Kawainui-Hamakua Master Plan Project.
48. A description of the Kawainui Marsh Archaeological District that includes Kawainui Fishpond, Ulupo Heiau, Na Pohaku o Hauwahine, 175 archaeological features in the Kukanono area, a concentration of 11 archaeological features near Kapa`a Quarry Road, isolated agricultural terraces, rock walls, earthen walls, enclosures, terraces, buried agricultural fields, an agricultural field system and historic house ruins.



49. A description and map of the dry-land agricultural component of the District, which occurs on a stretch of slope at the edge of the alluvial plains of Site 7, and consists of six sites, which includes about 65 archaeological features constructed of dry-stone masonry and earth.
50. Identification and definition of archaeological features that could be designated as archaeological discovery areas.
51. Identification of Kawainui marsh as a historical, cultural and archaeological significant site as acknowledged in the declaration in 1979 that Kawainui Marsh is eligible for listing on the State and National Register of Historic Places as a archaeological, cultural, historical district.
52. A comprehensive public health, security and safety plan for use of trails, roads, bridges, causeways and boardwalks for Kawainui Marsh and Hamakua Marsh.
53. Public safety and security measures must be identified for each project section including a security and safety plan designed to safeguard people living close to hiking trails.
54. The types of recreational activities that will be permitted in State Wildlife Sanctuaries.
55. Carrying capacity study for Kawainui wetland and wetland watershed and for each project site proposed for development including trails, bridges, boardwalks, causeways and the entire Kawainui Marsh.
56. Analysis of traffic impacts on Kukanono residents from increased activity at Ulupo Heiau.
57. Traffic analysis and impacts of increased traffic on the main intersections of Pali Highway and Kapa`a Quarry Road and Kapa`a Quarry Road and Mokapu Blvd.
58. Traffic analysis and impacts of increased traffic at the entrance/exit from the Kalaheo canoe site and the Wai`auia site.
59. Traffic analysis and impacts of increased traffic on Kapa`a Quarry Road from the five new car accesses and one existing access.
60. A detailed map defining the boundaries of this Plan by directional points, streets and other landmarks.
61. Description and location of places where lighting will be used i.e. at the access driveways along Kapa`a Quarry Road, around each building, along Kapa`a Quarry Road, trails, bridges etc.
62. Information on how many lights will be at each project site and how lighting will be shielded to prevent shearwater and migratory bird mortality.



63. A site maintenance and rule/law enforcement plan for each project site including trails, roads, bridges, causeways and boardwalks.
64. Identification of what entity(ies) will be responsible for maintenance and enforcement at each project site.
65. Physical and operational capacity limits for each project site including trails, roads, bridges, causeways etc.
66. Locations, site plans and analysis of environmental impacts of each green waste composting area.
67. Information on the hours that Kawainui Marsh and wetland watershed and Hamakua Marsh and wetland watershed project and access areas will be open to the public, what areas will be open to the public, and identification of entity(ies) responsible for enforcing those hours.
68. Cost and identification of entity(ies) and/or agency(ies) responsible for implementing, operating and maintaining each project site including trails, roads, bridges, causeways and boardwalks..
69. Information on public safety on the dual use of pathways/trails and roads for pedestrian and car use.
70. Number of parking stalls reserved for buses and vans at each parking area.
71. Identification of employee parking areas at each of the proposed project sites.
72. Definition of a "program trail."
73. Description of "large gatherings" including the number of people considered as a "large gathering."
74. Definition of caretaker's cottage and identification of statute that permits permanent residence within Kawainui wetland and wetland watershed.
75. Parking alternatives when all parking lots are full.
76. An entrance fee schedule for each project site and trails.
77. Identification of boundaries for each project site including trails, roads, bridges, boardwalks and causeways.
78. Plans to contain storm water and surface runoff and erosion at each project site including trails, roads, bridges, causeways and boardwalks.
79. Definition of "permanent" presence and information.

80. Identification of stakeholders.
81. An explanation of why the need has become greater since, the 1994 Kawainui Master Plan, to increase wetland and upland restoration and habitat enhancement.
82. Definition of a "qualified" non-profit and whether that non-profit will be required to have expertise in botany, zoology, hydrology, limnology and/or ecosystem restoration sciences.
83. Identification of the study used to conclude that Kawainui wetland areas are at sea level elevations.
84. Information on how much soil will be removed from each project site and how much soil will be brought into each project site.
85. Information on whether soil removed from or brought into Kawainui wetland and wetland watershed areas for projects will be tested for contaminants and identification of the testing process.
86. Explanation of the statement "Actual implementation measures would be developed during project design", why these measures "will not be defined in this EIS" and made available for public review in the DEIS or EIS.
87. Locations of the aquifer(s) referred to and the statements "This aquifer is currently used with low salinity and is ecologically important" and is "highly vulnerable to contamination" while the "lower aquifer" has "low vulnerability to contamination."
88. The date and source of the data used showing stream flow input into Kawainui marsh from Maunawili Stream, Kahanaiki Stream and Kapa`a Stream.
89. Scientific evidence to substantiate the statement "Air quality in the project area is primarily affected by vehicular carbon monoxide (CO) emissions, and to a lesser extent by nearby residential, commercial, and industrial uses."
90. Identification of projects that will be visible from public access areas.
91. A map of Kapa`a Quarry Road showing which portions of the road are publically owned and which portions are privately owned.
92. Explanation of the word *Project* in the title of the Plan.
93. Information on how avian botulism will be controlled in the eleven ponds and throughout Kawainui marsh.
94. None of the archaeological sites listed on seven pages in the 1994 Kawainui Marsh Master Plan section titled *Study Area Archaeological Sites* were included in this Plan. Why?



95. Explanation as to why the historic rock and earthen walls, constructed for planting of rice and taro, and unearthed during construction of the Corp of Engineers ponds 2, 3, and 5 in 2012 are not mentioned in the Plan.
96. Identification of projects that will be required to do a Supplemental Environmental Assessment before beginning construction.
97. Information on which agency(ies) and/or entity(ies) will have management oversight responsibilities of construction activities for each project including green waste removal and processing, alternative sewage systems, public access i.e. trails, roads, bridges, causeways, boardwalks, water quantity and quality in Kawainui wetland and wetland watershed..
98. Identification of habitat critical for nesting and foraging of the four endangered waterbirds - `Alae ke`oke`o (Hawaiian coot), Ae`o (Hawaiian stilt), Alae`ula (Hawaiian common gallinule) and koloa maoli (Hawaiian duck).
99. Information on what entity(ies) and/or agency(ies) will be responsible for maintaining and enforcing restrictions, if any, in critical habitat and foraging areas.
100. Identification of the habitat and foraging needs of the indigenous auku`u Black-crowned Night Heron.
101. Information on the number of people that Kawainui and Hamakua wetland and wetland watershed can support without degrading the ecological and flora and fauna environment of Kawainui Marsh and Hamakua Marsh.
102. Information on anticipated impacts from sea level rise and climate change on Kawainui and Hamakua wetlands and wetland watersheds.
103. Identification, location and acknowledgement of the extensive network of historic lo`i walls in Kawainui marsh.
104. Information on management efforts to remove pesticides, nutrients and pollutants from Maunawili Stream, Kahanaiki Stream and Kapa`a Streams before stream water enters Kawainui marsh.
105. Information on the cultural and historic significance of the former Cash Ranch site and the old landfill site proposed for the Hawaiian Cultural and Environmental Complex project.
106. Information on how and why each project site was selected for the purpose(s) identified in the Plan.



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAIHOLAWA ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Donna Wong  
Hawai'i's Thousand Friends  
300 Kuulei Road, Unit A, PMB 281  
Kailua, Hawai'i 96734

Dear Ms. Wong:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 21, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. Your organization has been added as a consulted party, and will receive a copy (CD) of the Draft EIS when published for review.

We concur that the Kawainui-Hāmākua complex was designated as a Ramsar wetland of international importance for good reasons. Hāmākua's wetland has been restored, and efforts are proposed to further expand and enhance that wetland. However, Kawainui's wetland is degraded, and project improvements proposed would support restoring the ecological character through wetland restoration and upland reforestation.

The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and regulatory requirements for public access and outdoor recreational opportunities. The Draft EIS includes more project information that addresses efforts to support educational programs, cultural practices, and stewardship opportunities in partnership with non-profit organizations. Ramsar supports sustainable tourism, recreational use, and cultural practices within designated wetlands of international importance. Ramsar views sustainable tourism as maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (e.g. pedestrian trails, education center, etc.) for the public that support these aspects recognized under Ramsar.



Improvements proposed are intended to support the project's purpose and need, which include providing reasonable public access, and not restricting or providing very limited and superficial access for the public. Therefore, in addition to natural resource improvements (e.g. wetland restoration), improvements provide a reasonable level of managed public access and support facilities. The amount of improvements proposed within upland areas are appropriate for the area, support activities planned, would not compromise the health of this resource, and should not have a significant negative impact on the watershed or wetlands as discussed in the Draft EIS. This also includes providing opportunities for non-profit organizations to establish a permanent presence at Kawainui to conduct cultural practices, educational programs, and stewardship opportunities, and just not supporting this with inadequate superficial improvements.

We understand your concerns and opposition to visitors to Kailua, and your subsequent opposition to any project changes that may attract more visitors to Kailua and this project site based upon your comments. The project is thus intended to support Ramsar objectives, agency missions, provides managed public access and outdoor recreation, and support cultural practices in addition to wetland restoration and upland reforestation. The interests of the entire State of Hawai'i need to be considered because Kawainui is a state resource of international importance for the entire public to enjoy.

We offer the following responses that are numbered to correspond to your numbered comments. It should also be noted that the level of project information included in the Draft EIS is to allow likely impacts to be assessed and addressed, and the Draft EIS includes sufficient information for this purpose. Proposed improvements are intended to meet the purpose and need for this project. Certain project details would be developed as part of a later design phase that would involve developing specific details on buildings based upon activities and programs, site improvements, etc. and ultimately construction plans. This level of detail is not necessary to address likely project effects, and the Draft EIS provides a sufficient project level description of improvements and information to reasonably address likely effects on environmental factors.

1. The cultural center at Wai'auia and park improvements at the Kalāheo park site are the only areas that could feasibly connect to the City's existing sewer system because existing service is provided in the vicinity. Other sites with facilities would have individual wastewater treatment systems (e.g. septic tank). The Draft EIS discusses improvements proposed at all of these areas. Kitchen facilities are not proposed at the Kalāheo park site, but could be included at the cultural center sites in Wai'auia and at Kapa'a.
2. Please refer to response No. 1.
3. The Draft EIS includes information on these types of individual sewage treatment systems, and please refer to response to No. 1.
4. All restrooms and proposed facilities would connect to the City Board of Water Supply's existing water system. The Draft EIS includes information addressing potable water and impacts on the system.
5. Alternative water systems are also being considered for the cultural center at Kapa'a to reduce the demand on the City's water system as discussed in the Draft EIS.
6. The Draft EIS includes information on existing visitors to Kawainui and Hāmākua along with projected visitors and persons participating in educational and cultural programs. A comparison with visitors and program participants in 2005 is not necessary since future



activities are compared with existing conditions to address project impacts. In 2005, only Nā Pōhaku, Ulupō Heiau, and the levee were available for public access. Visitors to these sites were likely similar to existing visitor estimates.

7. The Draft EIS identifies best management practices that can be incorporated into design plans to minimize short-term construction-related impacts, and as part of longer-term management and maintenance activities. Measures to remove invasive species and maintain areas restored are discussed as part of the wetland restoration and upland reforestation improvements proposed. DOFAW would be responsible for managing these resources in partnership with DSP for their jurisdictional areas.
8. For-profit commercial activities for visitors are not proposed as part of this project, and commercial activities would not occur within the wetlands.
9. As discussed in the EISPN and in the Draft EIS, DOFAW can allow up to 100 commercial visitors a day within the Kawainui and Hāmākua wildlife sanctuaries. The number of permits issued would be dependent upon the size of groups or tours allowed. However, DOFAW has thus far not issued and does not plan to issue permits for such commercial visitors.
10. DOFAW would be responsible for managing permitted commercial visitors within Kawainui, and would coordinate with the State Division of Conservation and Resources Enforcement (DOCARE) on enforcement. No commercial visitors are permitted within Hāmākua. DOFAW does not plan to issue permits for such commercial visitors at this time because it would be difficult to distinguish between commercial and non-commercial visitors.
11. DOFAW and DSP have no current plans to nominate Kawainui as a traditional cultural property or to nominate it for listing on the State or National Register of Historic Places. However, DOFAW and DSP may consider this in the future.
12. Development guidance or standards for historic sites are not required because consultation with the State Historic Preservation Division (SHPD) would determine necessary mitigative measures needed to be implemented. The Draft EIS addresses the project's effects on historic sites and cultural resources. The Draft EIS discusses management activities that can be implemented to manage visitor activities and minimize effects on the wetland and endangered waterbirds. Buildings, other structures, and physical improvements constructed would be located within upland areas, and should not have a significant impact on the wetland, wildlife, and the watershed as discussed in the Draft EIS. Standards and other guidance documents are thus not necessary to protect wetlands and watershed, and DOFAW and DSP would review and approve any development plans before implementation further ensuring these resources are not negatively impacted.
13. The project's conceptual plans proposed fully support the Public Trust Doctrine of the Hawai'i State Constitution, by conserving and protecting this natural resource for the benefit of present and future generations. Public benefits would further be achieved by providing managed public access to allow for the enjoyment of this resource by all. Improvements are intended to improve Hāmākua's wetland and restore Kawainui's wetland and upland areas that are consistent with managing this public natural resource. The project sets the framework for programming and implementing improvements thereby reducing uncertainty in the management and future use of this resource. Plans are also intended to promote the utilization of this resource in a sustainable and managed manner by providing public access and opportunities for educational programs and stewardship consistent with



the conservation and development of resources under the Constitution. It also supports traditional and customary rights of native Hawaiian's for cultural purposes under Article XII of the State Constitution. Commercial use of this project area for visitors is not permitted ensuring it won't be exploited by developers.

14. The Draft EIS discusses the project's effect on the environment, and identifies mitigative measures where appropriate. At this time, no limitations on the proposed improvements supporting public access, cultural practices, and educational programs are warranted.
15. Proposed improvements supporting natural resources such as the restoration of Kawainui's wetland and upland reforestation within the project area are discussed in the Draft EIS. DOFAW has design concepts for these efforts based upon design plans developed for implementing initial phases of this restoration work. These design plans serve as a framework for future restoration and reforestation efforts. Other improvements supporting public access and cultural practices do not require design standards. The Draft EIS addresses establishing building and landscape design guidelines for Kawainui so that structures can have a more unifying vision and generally consistent themes. Such guidelines can ensure a level of consistent themes, while providing flexibility for different and unique design concepts. Justification for improvements proposed are discussed under the project's purpose and need chapter of the Draft EIS.
16. The Draft EIS addresses existing historic sites within the project area, and identifies proposed treatment for these sites.
17. Please refer to response No. 16, and this also addresses protocol if other unknown sites are encountered.
18. It should be clarified that areas designated for development and use as cultural centers by non-profit organizations do not include wetlands. Newly established cultural centers planned at Kapa'a and Wai'auia are not intended to be open to the general public like the other areas such as Nā Pōhaku, Ulupō Heiau, and the education center with kauhale complex at Pōhakea. The purpose for these areas are to provide opportunities for non-profit organizations to construct their own facilities to manage and operate, and support cultural practices and programs, participate in stewardship of areas, and participate in educational programs that are coordinated with DOFAW and DSP. The community would be allowed to participate in cultural and educational programs developed by these organizations. It is not unusual for the state to lease property to persons or organizations for certain activities that are not open to the general public, and there were two separate ranches operating at Kawainui under revocable permits for several decades. These areas used for cultural practices are consistent with Ramsar criteria used for the Kawainui-Hāmākua complex.
19. Please refer to responses No. 13 and 18.
20. There are no precautionary measures needed to be used as preventive action at this time because there are no major issues with uncertainty associated with proposed improvements.
21. The Draft EIS includes information the area's hydrology and water quality, which include technical studies conducted addressing these areas.
22. The purpose for the project has not changed as this project involves preparing a new master plan that updates the previous 1994 master plan. This current plan reflects several changes to the project area since 1994, such as ownership, site conditions, etc., and it reflects current community desires and concerns such as the need to support cultural practices on a permanent basis and your concerns and opposition to visitors in Kailua. The project title is appropriate and the Draft EIS discusses the background associated with this project.



23. The project title is sufficient and the term “marsh” does not need to be included in the title. The Draft EIS identifies the Kawainui Marsh Wildlife Sanctuary in the introduction, and indicates the shortened reference “Kawainui” is used in the document.
24. The Draft EIS discusses the proposed phasing of improvements, and the actual implementation would be dependent upon DOFAW and DSP priorities at that time, and available funding from the State Legislature. Management activities are discussed to address your concerns with visitors to this area. A facilities development and management strategy for implementing the project is not necessary. The final master plan developed after completion of this EIS process would provide DOFAW and DSP with a framework and guide to evaluate implementation priorities. The Final EIS would provide a detailed document of improvements studied and identify necessary mitigative measures when components are implemented in phases.
25. The Draft EIS discusses existing soil conditions associated with the project area, water quality, hydrology, and project impacts for sites and larger areas, as appropriate.
26. Existing flood conditions are addressed in the Draft EIS, and established 100-year flood zones are identified. Kawainui’s wetland does not have flooding problems and restoration efforts would improve its function for flood control. A flood model evaluating hydraulic conditions is not necessary as such a modeling analysis was already conducted as part of the 1994 master plan, and the U.S Department of Army, Corps of Engineers (USACE) analyzed flood conditions as part of their EIS for the construction of the levee and more recent levee improvement. Conditions within Kawainui has not changed significantly that would invalidate the results from these modeling studies.
27. The Draft EIS includes information on estimated runoff from the project and addresses water quality within the project area. Information on sediment delivery estimates from the 1994 master plan report has also been incorporated. Current estimates of sediment delivery rates from Maunawili, Kahanaiki, and Kapa’a Stream into Kawainui’s wetland are not necessary. There is no Kawasaki Stream serving Kawainui. Current estimates of sediment delivery rates are not practical to determine because they involve both large developed and undeveloped upland areas outside of the project area for which those site conditions cannot be reasonably predicted. DOFAW and DSP have no control or jurisdiction over areas outside of the project site, and thus cannot control sediment discharges from those uses (e.g. residences). Furthermore, project improvements would not change sediment delivery from outside areas. However, water quality sampling data includes information on various criteria such as suspended solids that suitable for addressing water quality in Kawainui’s wetland and project effects. The Draft EIS also discusses the project’s effect on soil disturbance within upland area.
28. There are no known persistent erosion sites that are significantly impacting Kawainui’s wetland. The only known areas with some erosion occurring within Kawainui are associated with existing culverts within the Kahanaiki subarea along Kapa’a Quarry Road. Repairs to these culverts are already approved as part of DOFAW’s Kahanaiki Restoration project, and would be programmed for repair based upon available funding appropriated by the Legislature. The Draft EIS discusses improvements to address erosion and stormwater runoff as part of upland reforestation improvements (e.g. culvert repair, causeway).
29. The Draft EIS includes information addressing existing vegetation within the project area along with a figure showing wetland vegetation assemblages.



30. The Draft EIS includes a chapter addressing consultations and public meetings held as part of this project.
31. The project supports the four Ramsar criteria used for Kawainui-Hāmākua's nomination, and would actually make Kawainui and Hāmākua more consistent and reflective of its nominating criteria. The project includes various improvements supporting habitat enhancement, wetland restoration, creating more open water, upland reforestation, etc. as discussed in the Draft EIS. The Draft EIS includes a discussion of the project's relation and consistency with Ramsar criteria and objectives.
32. The Draft EIS discusses wetland restoration improvements proposed that would improve the ecology of this resource and waterbird habitat, which is one of the purposes for this project. Impacts on waterbirds are addressed as well, along with discussion of DOFAW's management activities.
33. The Draft EIS discusses wetland restoration improvements that would create more open waterways supporting aquatic resources within Kawainui's wetland. The current overgrowth of invasive vegetation within the wetland provides no habitat for aquatic resources.
34. Please refer to response No. 33.
35. DOFAW management activities to protect nesting site within Kawainui and Hāmākua's wetlands are discussed in the Draft EIS. Necessary mitigative measures to minimize and avoid impacts to historic sites are also addressed.
36. The Draft EIS discusses management activities to address protecting migratory birds and endangered waterbirds that would be applicable to all areas within the project site.
37. DOFAW's predator control program for mammals within the project area is discussed along with management activities addressing concerns with public access.
38. Wetland areas that may be fenced are discussed along with information on the type of fencing.
39. The USACE's restoration ponds has already been constructed, DOFAW is not responsible for that federal project, and this Kawainui-Hāmākua project will not change these existing ponds. You can refer to the environmental documents prepared by the USACE to address your comments.
40. The information requested on the existing USACE restoration ponds is not required to address impacts from the project. The project does not include improvements or modifications to these ponds, and wetland restoration improvements for the Kahanaiki area is already entitled. Kahanaiki wetland restoration and upland reforestation improvements are discussed as part of the No Action Alternative in the Draft EIS. You can refer to the environmental documents prepared by the USACE to address your comments.
41. The Draft EIS includes studies addressing various technical areas within the project area to supplement other information incorporated in this document to address project effects. A plan for ongoing research is not pertinent to this EIS process, however, project improvements would support future research projects, educational programming, etc. by providing access, support facilities, etc. Educational programs, research studies under grants, and other agency studies can already be conducted by organizations, schools, and universities to further understanding of the ecological function of Kawainui and Hāmākua.
42. Please refer to responses No. 39 and 40.
43. Removing invasive vegetation within Kawainui's wetland is proposed under this project, and would be programmed for implementation subject to funding availability.



44. The drainage ditches along Kapa'a Quarry Road near the City's model airplane park are owned by the City. Therefore, any maintenance or vegetation clearing for them would need to be performed by the City.
45. Information on Kapa'a Stream is included in the Draft EIS, and project effects on this stream is addressed. However, areas mauka and outside of the Kawainui project site are City property or privately-owned, and DOFAW and DSP have no jurisdiction or control of activities occurring there. Therefore, this project cannot regulate, change or improve Kapa'a Stream's water quality from those industrial uses. Kawainui's wetland receives storm water discharges from these areas, and has been processing nutrients and other chemicals as part of a wetland's function for many years.
46. A limnological study of Kawainui's waters is not necessary for the Draft EIS. There is sufficient information from technical studies conducted and information discussed in the Draft EIS to address project impacts on inland waters within Kawainui and allow for objective evaluation of the project. Wetland restoration improvements would have a significant beneficial effect on Kawainui's wetland and ecology. Restoration improvements removing invasive vegetation and peat mat would have beneficial effects on aquatic resources based upon a biological study conducted and included in the Draft EIS. Other project improvements (e.g. education center, cultural centers, pedestrian trails) would not have a significant negative impact on these waters as discussed in the Draft EIS.
47. The EISPN included a figure showing all known historic sites within the project area, and the Draft EIS includes similar maps and other information addressing project effects on historic sites. The conceptual plans in the EISPN were intended to show the improvements proposed, and is a separate document with a different purpose from the draft master plan report.
48. The Draft EIS describes existing historic sites within the project area, and provides a pertinent description with figures/exhibits providing sufficient information so that project effects can be addressed.
49. Please refer to response No. 48.
50. Please refer to response No. 48.
51. Kawainui is discussed as being eligible for listing on the State and National Register of Historic Places.
52. Hāmākua is restricted from general public access. Causeways are intended to serve as drainage improvements to detain stormwater runoff and would not create safety issues. A comprehensive public health and safety plan is not necessary to allow public access of pedestrian trails and boardwalks within Kawainui. Visitors to Kawainui using the pedestrian trails would need to use their own discretion when conducting activities as is applicable with other State parks.
53. Please refer to response No. 52. Non-profit organizations operating their cultural centers would be responsible for the activities and safety of their guests, and a health and safety plan is not necessary. The only residences near pedestrian trails is along the Kūkanono subdivision. The pedestrian trail is routed at the bottom of the residential subdivision hillside a significant distance away and elevation below homes. Fencing along this section of the trail is also planned to keep visitors along the trail path.
54. The Draft EIS discusses the types of recreational activities occurring within the upland areas of the Kawainui wildlife sanctuary. Recreational activities would not be occurring within the wetland.



55. The application of the carrying capacity concept is somewhat flawed because it is derived from biological models of the capability of resources to sustain a given number of animals over a period of time in a particular place. This does not translate readily into the management of human recreational experiences. The carrying capacity concept is also viewed to be problematic in the sense that it implies that there is an absolute threshold of (for example) visitor numbers below which there is no or minimal impact. In addition, capacity in relation to one variable is only practically meaningful when related to other linked variables. For example, the amount of visitors that can acceptably be accommodated within an area would be dependent on other factors such as the behavior of visitors, the age of the visitors, the applicability of support improvements (e.g. paths), quality of education material and guidance provided visitors, etc.
- Projected visitors to Kawainui are at levels not expected to cause intolerable visitor experiences (e.g. overcrowding) or significant degradation of upland areas. Visitors would not be entering Kawainui's large wetland area or disturb endangered waterbirds, and access would be managed, such as providing viewing opportunities at designated observation sites (e.g. viewing platforms). Acceptable visitor levels under such a capacity concept could also be much higher than that projected. But that doesn't mean efforts would be taken by DSP and DOFAW to now increase Kawainui visitors up to maximum desired levels, such as now issuing commercial permits.
- Rather than seeking to define the "correct" maximum capacity, a more feasible and practicable approach is to develop monitoring, planning, and management protocols based on levels of impact or changes that consider both the receiving environment and the visitor experience. Therefore, the level of acceptable change from these factors can be more appropriately evaluated. The management approach would be focusing on achieving objectives defined in terms of staying within maximum acceptable deviations, such as variation in ecological conditions, visitor experiences, etc. Management options and monitoring would be more practicable and feasibly implemented to evaluate whether the amount of change occurring can be tolerated, changes to visitor experiences and satisfaction, and when steps should be taken to prevent further undesirable changes. The management options discussed in the Draft EIS support these efforts.
56. Traffic within the Kūkanono subdivision is primarily associated with the Windward YMCA activities and existing churches in the area. Visitors to Ulupō Heiau is relatively light and discussed further in the Draft EIS. The Draft EIS includes a traffic study that addresses the project's effect at major intersections. Aside from ongoing restoration activities, only a nursery and hālau to support restoration activities, management, and educational programs are included under this project. The number of visitors to Ulupō Heiau with these improvements are projected to generally remain the same as current.
57. The Draft EIS addresses the project's anticipated traffic impacts at major intersections, which include the intersections suggested.
58. Information on projected vehicles entering and exiting the Kalāheo Park site and cultural center at Wai'auia is provided.
59. Information on projected vehicles entering and exiting the education center at Pōhakea, parking lot at Kahanaiki, and cultural center at Kapa'a are provided. The other access locations on Kapa'a Quarry Road would be gated and used for DOFAW management operations, educational programs, etc. These accesses would thus have minimal traffic



- entering and exiting a day, and would have minimal effect on traffic flow along Kapa'a Quarry Road.
60. The Draft EIS includes figures that are appropriate in showing the boundaries of the project area.
  61. No street lighting is proposed or required because the majority of uses would only consist of day activities. If any building lights are included with the design of cultural centers, these fixtures would be shielded to prevent attracting shearwaters. The Draft EIS discusses the project's effect on these birds and includes standard lighting design guidelines for facilities to minimize impacts.
  62. Please refer to response No. 61.
  63. A site maintenance plan and enforcement plan for facilities (e.g. cultural centers) and public access improvements (e.g. trails) are not required. Non-profit organizations constructing cultural center facilities would be responsible for its maintenance and the conduct of their guests and activities. DSP or the non-profit organization operating the education center would be similarly responsible for that facility. DOFAW or DSP would be responsible for maintaining other improvements. DOFAW and DSP would coordinate with DOCARE and non-profit organizations in the monitoring and enforcement of regulations.
  64. The Draft EIS discusses the responsibilities for maintenance and enforcement.
  65. The physical and operational capacity for pedestrian and foot trails and bridges is not required. Bridges would be designed to support the crossing of DOFAW maintenance vehicles and would easily accommodate visitors. Pedestrian and foot trails would be able to accommodate projected visitors, and are not subject to physical or operational constraints. If certain sections of a pedestrian trail is occasionally crowded, visitors can wait until the path clears.
  66. The vegetation processing site is the only area proposed for green waste processing. Project information on this facility is included, and impacts from this operation is discussed.
  67. Hāmākua will be restricted from general public access. Public access areas at Kawainui would be open during normal daylight hours, and lighting for not activities are not proposed. The education center would be open and closed during normal daylight hours similar to other State parks, and the parking lot serving this area would be open and closed (gated) accordingly by the non-profit organization operating that facility. The Draft EIS identifies areas within Kawainui open to the general public, and DOFAW and DSP would be responsible for enforcing hours.
  68. Preliminary estimated costs for improvements and entities responsible for funding them are included in the Draft EIS.
  69. Public safety is not a concern for use of pedestrian trails by DOFAW and the public. DOFAW and other authorized persons would utilize certain trails as access roads as part of maintenance and other operational activities. Visitors can easily move on the side when DOFAW authorized vehicles need to pass by.
  70. Only the parking lot for the education center at Pōhakea would be designed to accommodate a bus (e.g. school bus) or large van as part of educational and cultural programs. The non-profit organization developing the cultural center at Kapa'a would design their parking lot as appropriate to accommodate a program-related bus. Buses utilized for commercial tours are not allowed at this site.



71. DOFAW's management station includes plans for covered parking for employees and equipment, and the vegetation processing site would have a few stalls. Staff from the non-profit organization operating the education center would have a few stalls marked for their use, and such stall designations would be determined after the center is constructed. Non-profit organizations would be responsible to determine parking areas for staff as part of their development plans for cultural centers.
72. Pedestrian and foot trails are not intended to be defined as "program trails." All pedestrian and foot trails would be available for use to access areas as part of educational and cultural programs.
73. Large gatherings could include about 25 guests or persons and greater. Within DSP areas, gatherings of more than 25 persons requires a permit.
74. Information on the caretakers' cottage is provided in the Draft EIS, and approval of such use would be authorized as part of land use entitlements obtained for the project. Permanent residences have been previously allowed at Kawainui as part of former ranches operating in this site.
75. At the education center, additional open space area near the parking lot is intended to be used as overflow parking space, if necessary. Visitors to the Kawainui SPR, Kalāheo site and other parking lots proposed would need to find parking elsewhere if all stalls are filled, similar to other parks. Non-profit organizations would be responsible to address parking within the cultural centers.
76. An entrance fee could be charged at the education center at Pōhakea. The costs for such fees would be determined by DSP or the non-profit organization operating the center.
77. Please refer to response No. 60.
78. Facilities would be required to include measures to address storm water runoff from their site as part of their site development plans. Causeways are already a form of improvements to address storm water runoff to detain water before being discharged into wetlands. Pedestrian trails, including trails supporting DOFAW authorized vehicles, would consist of pervious material (e.g. gravel, grass) that don't require additional storm water improvements.
79. Permanent cultural presence refers to allowing non-profit organizations to develop support facilities (cultural centers) within upland areas so that cultural practices along with other activities can be conducted on a permanent basis with adequate support facilities.
80. Please refer to response No. 30.
81. The Draft EIS discussion of the project's purpose and need for wetland restoration and upland reforestation addresses this.
82. Qualified non-profit organizations would be those meeting the non-profit status under the federal tax code. Non-profit organizations would not be required to have technical expertise for the areas identified. The purpose for these sites is to allow organizations to conduct cultural practices.
83. Information on elevations for the project area is included in the Draft EIS. Prior wetland delineations of Kawainui showed that the boundaries only extended up to a limited elevation.
84. Information on soil quantities needed to be exported or imported would be determined as part of the design phase for improvements implemented. The design phase would determine necessary building footprints and site improvements needed. It is expected that all earthmoving activities would allow for soil to be disbursed within the site and not



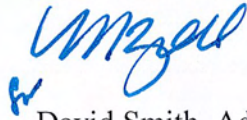
- require the export or import of soil. The Draft EIS discusses the project's effects on soils and identifies best management practices and other measures that can be incorporated to minimize disturbance and effects.
85. If soil needs to be brought in for site preparation work, it would come from an appropriate source that does not require testing for contaminants. Vegetation extracted along with soils attached to it from Kawainui and Hāmākua as part of wetland restoration and upland reforestation improvements do not need to be tested for contaminants. Based upon prior studies of Kawainui, there are no known hazardous waste issues associated with areas proposed for facility improvements that would require moderate soil disturbance. Pedestrian trails would require minimal soil disturbance because routes would utilize existing access roads or follow natural topography. Hazardous materials are discussed in the Draft EIS. The non-profit organizations developing their sites can conduct soil tests as part of their design work, if they feel appropriate.
  86. It is not clear what you refer to regarding actual implementation measures, or where that is referenced. However, as discussed earlier in this response letter, the Draft EIS includes sufficient project information to allow reasonable assessment of project effects. Some details would need to be developed as part of a design phase, such as cultural centers as an example. The non-profit organization selected to develop the center would determine their facility needs based upon their intended programs and activities. Thus, specifics such as internal building configuration, materials, final footprint locations would be determined as part of their design phase. The Draft EIS includes project information for such site improvements that can be used to address likely effects because it studies the entire site, includes information on proposed activities, total floor area that could be developed, and other project details. The design of such facilities would thus need to fall within the general program parameters studied for a particular site. Some flexibility is allowed, but improvements would not be allowed to substantially deviate from that addressed in the environmental document. The information provided in the Draft EIS is thus sufficient for the public to review the project's development concept for which likely environmental impacts are addressed.
  87. Information addressing existing aquifers serving the project site is included in the Draft EIS.
  88. Information addressing existing streams serving the project site is included in the Draft EIS.
  89. Scientific evidence is not necessary to substantiate that statement on air quality. Air quality emissions in the project area are the result of likely sources, which mainly include vehicle emissions in this situation. Residential and commercial uses in the immediate project vicinity do not generate significant sources of air pollutants, which includes the light industrial uses at Kapa'a. There are no large agricultural farming activities in the immediate area such as those occurring in Kunia or Mililani. The Draft EIS discusses air quality impacts in more detail.
  90. The Draft EIS addresses the project's visual effect on significant public viewing locations and scenic coastal roads.
  91. The Draft EIS addresses ownership of Kapa'a Quarry Road.
  92. Explanation of the word "Project" in the name of the project is not necessary and is not relevant to evaluation of impacts.
  93. Please refer to responses No. 39 and 40.



94. The 1994 master plan document covered an area larger than what is included under this project. That report was not an environmental document prepared under the State's environmental review regulations. This Draft EIS addresses those historic sites within the project area that would be affected by proposed improvements. Historic sites outside of the Kawainui-Hāmākua project area would not be affected.
95. The Draft EIS discusses historic sites within the project area, which includes historic walls encountered as part of the USACE's construction of the restoration ponds.
96. None of the project improvements would require a Supplemental Environmental Assessment because they are being studied and assessed under this EIS process.
97. Please refer to responses No. 7, 10, 24 and 63. The Draft EIS also addresses DOFAW and DSP jurisdiction and management responsibilities for areas.
98. There are no critical habitat designated for waterbirds within the Kawainui and Hāmākua wetlands. Wetland restoration is needed at Kawainui to first improve this habitat for waterbirds. The Draft EIS discusses the project's effect on waterbirds.
99. Please refer to responses No. 7, 10, 24 and 63. The Draft EIS also addresses DOFAW's jurisdiction and management responsibilities for wetland areas.
100. The Draft EIS discusses the project's effect on waterbirds and other avifauna.
101. Projected number of visitors and guests participating in educational and cultural programs are included in the Draft EIS. Visitors would not be entering the wetlands. Projected visitor levels are not expected to have a significant effect on Kawainui's ecology and wetland. Please refer to response No. 55 as well. The Draft EIS discusses the project's effect on botanical resources and fauna.
102. The Draft EIS includes a section addressing project effects from climate change associated with sea level rise.
103. Please refer to response No. 95.
104. Information on the streams identified within the project area are included in the Draft EIS, and project effects on these streams are addressed. However, urbanized areas mauka and outside of the Kawainui project site are predominantly privately-owned, and DOFAW and DSP have no jurisdiction or control of activities occurring on those properties (e.g. residences). Therefore, this project cannot regulate, change or improve discharges into the streams and its water quality from those activities. Also, the purpose and need for this project is not to improve those streams outside of the project area. Kawainui's wetland receives storm water discharges from these areas, and has been processing nutrients and other chemicals as part of a wetland's function for many years.
105. Please refer to response No. 95, and the former Cash ranch site and landfill are not historic properties.
106. The Draft EIS includes a discussion of the project's purpose and need and background information associated with various subareas. The project description chapter discusses proposed improvements in more detail and clarifies why they are appropriate where located.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners





## THE LANI-KAILUA BRANCH OF THE OUTDOOR CIRCLE

October 20, 2016

Re: Response to the EISPN for the Kawainui-Hamakua Master Plan Project

Ronald A. Sato, AICP, Senior Associate  
HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, HI 96813  
Email: [rsato@hhf.com](mailto:rsato@hhf.com)

Ms. Marigold Zoll, O'ahu Forestry and Wildlife Manager  
State of Hawaii  
Division of Forestry and Wildlife  
Department of Land and Natural Resources  
P.O. Box 621  
Honolulu, HI 96809  
Email: [Marigold.S.Zoll@hawaii.gov](mailto:Marigold.S.Zoll@hawaii.gov)

Aloha,

The Lani-Kailua Outdoor Circle (LKOC) has been actively involved with the preservation of the Kawainui Marsh since the mid 1950's. We are committed stakeholders in this effort, with no vested interest other than its preservation as a wetland and wildlife refuge, as well as a significant archaeological site, important to understanding the historical roots of pre- and post-contact human presence in Hawaii.

We do not object to having a Hawaiian cultural presence there, nor do we object to the marsh restoration aspects of the plan. In fact, we applaud these efforts.

LKOC organized restoration efforts for Ulupo Heeiau in the early 1950's, and since then has been actively involved in marsh preservation. In the 1970's and 1980's, LKOC spearheaded the formation of the Kawainui Heritage Foundation and the effort to declare Kawainui eligible for inclusion on the National Register of Historic Places. LKOC helped spearhead efforts that resulted in the 1983 Resource Management Plan. In 2005, LKOC was a signed petitioner on the Ramsar Convention declaration of Kawainui as a "Wetland of International Importance". Open spaces exist there because LKOC petitioned the city to void previously granted permits to build a light industrial park on the Wai'auia site, resulting in the State ultimately purchasing the property, and the removal of the partially constructed structures there. Cultural sites remain undisturbed because LKOC convinced the city to relocate a sewer line from inside the marsh boundary to along Kalaniana'ole Hwy. These are just a sampling of our involvement in the preservation of Kawainui Marsh.

Given our history, we feel we have earned the right to have our voices heard regarding this proposed development plan.

Here are concerns we would like to see addressed in the EIS for the Marsh Master Plan.

### **Marsh Hydrology/Water Quality**

Kawainui-Hamakua is an integral part of the Kailua-Kapa'a watershed and is connected to a major and economically important public recreational resource - Kailua Bay - that relies on clean water.

- The EIS needs to address the marsh in its broader context as part of the entire ahupuaa, including the watershed that feeds the marsh. To date, the plan includes no discussion of performing an hydrology study on the entire marsh and its mauka water sources. The EIS should require that such a study be done in order to acquire up-to-date information on the current workings of marsh hydrology.
- Similarly, the EIS should require that an up-to-date water quality study be done for the entire marsh, prior to any construction, to better assess potential water contamination due to proposed development.
- The EIS should identify instances when water from Maunawili Stream or sources outside of the pond boundaries entered the Corps of Engineer Pond system and what management efforts have or will be implemented to prevent the interchange of water between the natural and engineered wetlands.
- The EIS should address pollution that enters the marsh from culverts and sheet flow runoff from Kapa'a Quarry Road.
- The EIS should provide data on the size, location, materials etc of the proposed buildings, parking lots, structures, launch ramps etc., in order to better analyze their potential impact on marsh hydrology and water quality.
- The EIS should address the fact that even an environmentally well designed septic system will leach contaminants over time and the Master Plan should be forward looking 50 -100 years.

### **Marsh Boundaries:**

- The EIS needs to recognize that the riparian and upland areas abutting the marsh wetlands are an integral part of the marsh. To date, plan terminology indicates these development areas, while in the scope of the project, are 'not within the wetland', and development there is "unlikely to substantially increase pollution", and does not appear [will] have a detrimental impact on the wetlands".
- The EIS needs to recognize and address that proposed development in these areas can have a significant effect on marsh health.
- The EIS should have a Figure that shows the wetland designation boundary and a comparison/explanation of how its size and location have changed over time. Since DOFAW manages the riparian/upland forested areas, as well as the wetland area, all references to DOFAW Management Areas need more clarification.

### **Cultural and Educational Centers**

- The EIS should explain how it determines which cultural practitioner groups or individuals will have access to Kawainui-Hamakua for traditional practices.



- If members of the public are restricted from using areas identified in the plan as areas providing for a “permanent cultural presence”, the EIS should identify the criteria used to select the “permanent cultural group or groups” and identify these areas in the plan.
- The EIS should clarify what is meant by “traditional cultural practices” and include a discussion of how these practices can be addressed in Kawainui-Hamakua without the construction of modern walled buildings that use modern materials.
- A good example of an Environmental Assessment that proposes a 'green' cultural presence, with no modern structures or parking lots, can be found for the Kaloko-Honokohau Hawaiian Cultural Center, with low-impact, open-air traditional (thatch and pole and dry-stack masonry) structures which maximize airflow and have zero-energy use shade structures, uses "zero discharge" composting toilets to keep human waste from entering natural water systems, and is a "green" facility, as it requires no water, treats waste biologically, is "zero-discharge", uses long-lasting construction material and has low power requirements (provided by solar panels). See site:  
<http://parkplanning.nps.gov/document.cfm?parkID=312&projectID=15922&documentID=51479>

### **Wildlife Habitat**

The proposed extensive footpaths encircling the marsh wetlands have the potential to adversely affect the wildlife habitat and endangered birds' nesting habits. The proposed trails will bring human beings in close proximity to previously remote nesting areas. The extent and incursion of these trails needs to be examined in more detail.

- The EIS should identify the specific areas in Kawainui-Hamakua that are "state wildlife sanctuaries" and list a variety of controls that can be used to manage access, the number of people using a site, and the type of uses allowed.
- The EIS should address whether or not, under what circumstances, and to what extent “visitors” would be allowed/permitted in the primary habitat. If access to primary habitat is regulated, what kind of regulations would be established and who would enforce the regulations?
- The Plan states that within Kawainui, access to the wildlife sanctuary areas is “restricted to the perimeter marked trails and roads, or other marked trails or roads”. The EIS should identify how it will enforce this restriction.

### **Archeology**

The proposed extensive trails and other cultural/educational site location disturbance due to construction may be detrimental to existing and undiscovered archeological artifacts.

- The EIS should require that a complete archeological study be done for the entire marsh, including the upslope areas, prior to any development being commenced.

### **Canoe Launch at Kawainui State Park Reserve - Kapa’a and Kalaheo Section**

- The EIS should identify the types and numbers of canoes that would be allowed to launch and what agency, organization or individual would make the decision on who could launch and/or use the facilities.
- The EIS should identify the types of "commercial" and "non-commercial" watercraft besides canoes that could be permitted to launch at that site; the number that could be allowed to launch; and who and what agency or organization would make that decision.

**Management, Maintenance, and Commercial Access**

- The EIS should clarify whether non-profit or for-profit contractors could be granted permits for management and maintenance operations in Kawainui-Hamakua.
- The EIS should clarify whether limits could be placed on the size of these groups, and what type of oversight, if any, DOFAW/DSP staff would have on their work.
- The EIS should identify the types of commercial permits allowed in Kawainui -Hamakua and the number of permits allowed per day per site.

Thank you for allowing this opportunity for input and comment on the Kawainui-Hamakua Master Plan Project.

We look forward to continuing as a consulting party on the project.

Sincerely,  
Diane Harding  
President, Lani-Kailua Branch of the Outdoor Circle  
[lani-kailua@outdoorcircle.org](mailto:lani-kailua@outdoorcircle.org)  
(808) 262-1826

A handwritten signature in dark ink that reads "Diane Harding". The signature is written in a cursive, flowing style.



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
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CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAIHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Diane Harding, President  
The Lani-Kailua Branch of the Outdoor Circle  
P.O. Box 261  
Kailua, Hawai'i 96734

Dear Ms. Harding:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 20, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. The Lani-Kailua Branch of the Outdoor Circle has been added as a consulted party, and will receive a copy (CD) of the Draft EIS when published for review.

Thank you for sharing background information on your organization, and its interest and involvement in Kawainui. We appreciate your organization's understanding and support for wetland restoration planned along with having a Hawaiian cultural presence at Kawainui allowing for cultural practices to occur. Input from your organization is appreciated along with input received from other organizations having interest in Kawainui.

We understand your concerns and opposition to visitors to Kailua, and your subsequent opposition to changes that may attract more visitors to Kailua and this project site based upon your comments. However, a main focus of the project includes wetland restoration and reforestation improvements that would enhance habitat for endangered waterbirds. The project supports Ramsar objectives, agency missions, provides managed public access and outdoor recreation, and supports cultural practices. The interests of the entire State of Hawai'i need to be considered because Kawainui is a state resource of international importance for the entire public to enjoy.

It should be noted that Ramsar supports sustainable tourism, recreational use, and cultural practices within designated international wetlands of importance. Ramsar views sustainable tourism as maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (e.g. pedestrian trails, education center, etc.) supporting these aspects recognized under Ramsar. Project



improvements support educational programs by providing shelter and restrooms for students, and allows passive recreational use (trails) within designated upland areas furthering the observation and appreciation of nature and wildlife.

#### Hydrology and Water Quality

A new hydrological study of the Kailua and Kapa'a watersheds is not necessary because there are other existing studies that have studied these watersheds, and information from these studies have been incorporated in the Draft EIS. Information discussed in the Draft EIS on hydrology is sufficient to address the likely project impacts, and provides DOFAW and DSP with pertinent information to reasonably evaluate the project and identify necessary mitigative measures, if warranted.

1. The Draft EIS discusses the project area's watershed and hydrology, including a description of the streams flowing into Kawainui and Hāmākua. The Draft EIS includes sufficient information on the watershed area, hydrology, water quality, etc. to reasonably assess impacts from proposed improvements. Information includes new studies conducted and the results from other studies, which provide a reasonable and adequate understanding of the watershed and project area.
2. A water quality study was conducted that includes data on water quality within the project area that is sufficient to evaluate existing conditions and project effects.
3. The Draft EIS discusses the existing restoration ponds that were constructed by the U.S. Department of Army, Corps of Engineers (USACE). Waters from Maunawili Stream are not being diverted to serve these restoration ponds. Groundwater and water from natural rain events serve as sources for maintaining water levels within the restoration ponds. Management to prevent the interchange of water between these ponds and Kawainui's wetland is not required because both water sources are used by waterbirds as habitat. The project's purpose and need and subsequent improvements proposed do not involve changing these ponds.
4. The Draft EIS addresses stormwater runoff entering Kawainui from upland areas along Kapa'a Quarry Road.
5. The Draft EIS provides information on proposed improvements, which include approximate size (floor area) of buildings, their intended locations or areas of use, etc. for structures, parking and pedestrian trails. Sufficient details of these improvements are provided in the Draft EIS to evaluate impacts on hydrology and water quality. The actual design of the buildings, such as the education and cultural centers, would be determined when the design phase for these improvements are implemented.
6. Septic tank systems would be designed in conformance to State requirements and design guidelines. These systems should have minimal impact on the environment. It is not necessary or pertinent to evaluate such systems 50 to 100 years ahead.

#### Marsh Boundaries

1. The wetland, transition areas, and upland areas are viewed as integral parts of the entire Kawainui and Hāmākua areas. The Draft EIS discusses the project's effect on these areas, and facilities for the education and cultural centers are not being situated within the wetland or in the transition areas. Improvements constructed within upland areas could



have an impact on the wetland and environment, which are discussed in the Draft EIS. However, the locations selected for facilities consisting of formerly disturbed areas, their siting within upland areas, and best management practices proposed would minimize effects on the wetland and waterbird habitat. Other mitigative measures are discussed in the Draft EIS.

2. Please refer to response No. 1 above.
3. The Draft EIS includes information on the estimated boundary of the wetland that is also shown on figures. A comparison of the changes to the size and location of these boundaries over time is not necessary to address impacts on the wetland. All structures associated with facilities are sited well inland of the wetland boundary. The wetland boundary at Kawainui is predominantly dictated by existing elevations and does not change significantly due to the rise in elevation with upland areas. Furthermore, only the current wetland boundary is important in terms of regulatory jurisdiction. DOFAW is not proposing to expand the wetland area at Kawainui, but implement restoration efforts to remove invasive vegetation. When facilities or sections of the pedestrian trail are implemented over time, the design phase for improvements would assess the existing wetland boundary so that site improvements and any structures can be setback away from the wetland. The Draft EIS also includes more details on DOFAW's management areas.

#### Cultural and Educational Centers

1. Areas designated to support cultural practices would be constructed and operated by non-profit organizations selected through the State's open and competitive procurement process to be determined later when being implemented, such as a Request for Proposals solicitation. Organizations desiring to conduct educational programs, participate in stewardship activities or programs, or conduct cultural practices at Kawainui or Hāmākua can already contact DOFAW or DSP to inquire about obtaining permits authorizing limited access for these activities.
2. The areas proposed for cultural centers to be established were identified in the EISPN and are further discussed in the Draft EIS. Cultural centers would be restricted from general public access because they would be constructed and operated by non-profit organizations to conduct cultural practices, stewardship activities, educational programs, etc. Such restricted use should support your opposition to creating areas open to the public and visitors. Non-profit organizations would coordinate with DOFAW and DSP to support educational programs, cultural programs, community serving learning projects that would allow participation by the community at these centers. Please refer to response No. 1 above regarding the selection process for non-profit organizations. The criteria for selecting such organizations is not pertinent to evaluating the impacts from such use and activities as part of this environmental review process. The selected non-profit organization would be restricted to conduct activities as proposed under this project.
3. The Draft EIS discusses the types of cultural practices that are proposed to occur at these cultural centers. We don't view "modern" buildings as being detrimental to the environment. Such buildings include tool sheds, plant nurseries, restrooms, and parking shelters to support restoration work, public access, educational programs, and cultural practices. We believe the more important consideration of proposed structures is their purpose and the type of activities they would be supporting. Cultural centers would be designed and constructed by non-profit organizations to meet their program needs, cultural



practices, and other activities. These buildings are intended to be compatible with the area. The Draft EIS addresses establishing building and landscape design guidelines for Kawainui so that structures can have a more unifying vision and generally consistent themes. Such guidelines can ensure a level of consistent themes, while providing flexibility for different and unique design concepts.

4. Thank you for the reference to the Kaloko-Honokōhau Hawaiian Cultural Center on Hawai'i Island to view as a model. The objectives for that cultural center are similar to those proposed under this Kawainui-Hāmākua project, such as serving as a place where culture can be practiced, customs and traditions studied, taught, and shared with others, etc. Several structures of both traditional and non-traditional Hawaiian design are planned at Kaloko-Honokōhau, which includes concrete pier blocks for foundations, etc. that support modern building design elements. The areas designated for cultural centers under this Kawainui-Hāmākua project are also planned to incorporate low-impact design elements, such as bioswales and bioretention areas and other sustainability design concepts. As previously discussed, building and landscape design guidelines for Kawainui can also be established to ensure a level of consistent themes, while providing flexibility for different and unique design concepts.

#### Wildlife Habitat

1. Public access is proposed within upland areas that are similarly degraded with invasive vegetation growth, and proposed activities are viewed as appropriate for this upland area. Upland areas proposed for use were previously used as a City baseyard site and for ranch use for several years. The education center planned at Pōhakea supports the management and monitoring of this area, visitor orientation, along with educational and cultural programs. Public access and passive outdoor recreation activity supported by pedestrian trails proposed for upland areas are intended to meet Land and Water Conservation Fund requirements. The Draft EIS discusses the project's effect on waterbird habitat along with management efforts to address people interaction with wildlife and restricting access to areas (e.g. fencing along wetland).
2. The EISPN identified the state's wildlife sanctuary, and the Draft EIS also includes this information. The Draft EIS discusses management efforts to address visitor interaction with wildlife, restricting access to areas, the projected number of visitors, and type of activities proposed to be allowed within the sanctuary.
3. Visitors are not planned to be allowed within important waterbird habitat, and previous responses No. 1 and 2 address management efforts proposed. The Draft EIS includes more information on DOFAW's management and enforcement of wildlife sanctuary areas.
4. There are presently no designated trails or roads for general public access within the wildlife sanctuary, except for the levee. The Draft EIS includes more information on DOFAW's management and enforcement of public access within wildlife sanctuary areas.

#### Archaeology

1. The Draft EIS includes an archaeological study that identifies existing historic sites, discusses prior studies conducted of the project area, and addresses the project's effect. Information from this study is sufficient to assess the project's likely effect on historic sites, and mitigative measures are identified where applicable.



Canoe Launch at Kawainui SPR, Kalāheo Section

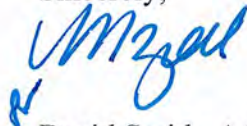
1. The Draft EIS discusses the projected number of canoe related activities at this site, and up to six six-man canoes would be permitted on a daily basis. The Kalaheo site could accommodate far more canoes than is planned, but DSP plans to limit the number of canoes through issuance of permits. DSP would issue permits for schools and canoe clubs to launch into Kawainui Canal, and the Draft EIS discusses prior permits previously issued for such activities which would likely apply for future permits. These permits can define the days and times of launching to address the concerns of the residents living along the canal.
2. DSP does not intend to issue permits to other organizations to allow other non-commercial watercraft to be launch from this site. No commercial permits are planned to be issued under this project by DSP.

Management, Maintenance, and Commercial

1. Only non-profit organizations would be granted permits to conduct educational programs, cultural practices, participate in stewardship opportunities, community serving learning projects, etc. as previously discussed. DOFAW and DSP would be responsible for the overall management of the project area. The operation of cultural centers and the education center were previously discussed under that heading.
2. The cultural centers at Kapa'a and Wai'auia would not be open to the general public, thus, the non-profit organization constructing and operating these centers would be responsible for activities and number of guests. The Draft EIS includes information on projected number of persons utilizing these sites. Thus, this situation should not contribute to your concern and opposition to visitors within this project area. DOFAW and DSP would be responsible for the overall management of the project area.
3. The Draft EIS discusses that up to 100 commercial visitors per day are allowed within the Kawainui and Hāmākua wildlife sanctuaries under State regulations. DOFAW and DSP have no plans to issue commercial permits for visitors under this project.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



## THE LANI-KAILUA OUTDOOR CIRCLE

Ronald A. Sato, AICP, Senior Associate  
HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, HI 96813  
Email: [rsato@hhf.com](mailto:rsato@hhf.com)

Ms. Marigold Zoll, O'ahu Forestry and Wildlife Manager  
State of Hawaii  
Division of Forestry and Wildlife  
Department of Land and Natural Resources  
P.O. Box 621  
Honolulu, HI 96809  
Email: [Marigold.S.Zoll@hawaii.gov](mailto:Marigold.S.Zoll@hawaii.gov)

**Response to the Environmental Impact Public Notice (EISPN) for the "Kawainui-Hamakua Master Plan Project"  
Including an Alternative to the Plan Entitled:  
The Lani-Kailua Outdoor Circle Alternative Kawainui-Hamakua Marsh Master Plan  
October 24, 2016**

The Lani-Kailua Outdoor Circle (LKOC) requests to be a consulting party in the preparation of an EIS for the Kawainui-Hamakua Master Plan Project.

This project, being developed by Hawai'i's Department of Land and Natural Resources' (DLNR), Division of Forestry and Wildlife (DOFAW) in partnership with the Division of State Parks (DSP), will impact Kawainui and Hamakua wetlands and wetland watersheds.

We have prepared an alternative to the Master Plan entitled "The Lani-Kailua Outdoor Circle Alternative Kawainui-Hamakua Marsh Master Plan", also referred to as "**LKOC's Alternative Plan**".

### Background

Stream, spring and surface waters from mauka watersheds flow into Kawainui and Hamakua marshes, and are filtered before entering the recreational waters of Kailua Bay.

A wetland inventory published by the Society of Wetland Scientists in 2013, estimated that Oahu has lost 65% of its wetlands since human settlement began (ref: <https://ase.tufts.edu/biology/labs/reed/documents/pub2014WetlandlossinHI.pdf>)

This loss has left Kawainui-Hamakua as the largest remaining wetland in Hawaii. These wetlands are the ecological link between the Kailua, Kapa'a and Ka'elepulu-Hamakua watersheds and the recreational coastal waters of Kailua Bay. They are primary habitat for migratory birds and endemic and endangered waterbirds, they are a water



filtration system, and they provide serene open-space vistas that contribute to our quality of life. In addition to storing surface water, and providing flood protection for adjacent communities, Kawainui provides a migration path, from the ocean to mountain streams, for indigenous and endemic amphidromous fish and crustaceans.

Over time, these marshes have been physically altered and degraded by human development. Kawainui has been used as a landfill, an automotive junkyard, and a repository for sewage. It has taken a community of concerned citizens working with enlightened government elected officials to bring it back to its present state, and it will take time and commitment to restore it to a fully functioning, clean and productive ecosystem. This is now our mandate, and the Lani-Kailua Outdoor Circle (LKOC) takes seriously its responsibility to partner with like-minded individuals to work toward this goal.

Any Master Plan for the future of Kawainui and Hamakua must have at its center the protection of their ecological systems, including their water-related ecological resources.

The waters of Kawainui Marsh, are highly vulnerable to contamination and by law, are to remain in their natural state as nearly as possible with an absolute minimum of pollution from any human-caused source. (Class 1.a.waters under HRS Title II, Chapter 54). By law, the wilderness character of these areas shall be protected.

### **The Lani-Kailua Outdoor Circle Alternative Kawainui-Hamakua Marsh Master Plan Overview**

The Lani-Kailua Outdoor Circle offers an Alternative to the Master Plan entitled “The Lani-Kailua Outdoor Circle Alternative Kawainui-Hamakua Marsh Master Plan”, also referred to as “LKOC’s Alternative Plan”.

Fundamental to LKOC’s Alternative Plan is the prioritization of resource management for the improvement of Kawainui and Hamakua’s functional ecosystems and the preservation of the cultural and archaeological sites and uses. It is based on a review of the record that shows a progressive loss of Kawainui marsh fecundity and health over the last 70 years, a loss due primarily to water diversions and development that included an industrial quarry, landfill, city dump, green waste facility, garbage incinerator, auto-wrecking yard, industrial park, and a road cutting off the wetland from its Kailua and Kapa’a watersheds. The natural environment has been degraded and is in need of restoration.

It is LKOC’s position that the natural, historic and cultural resources of Kawainui and Hamakua wetlands and watersheds entrusted to the public must be protected for the benefit of present and future generations.

The Lani-Kailua Outdoor Circle Kawainui-Hamakua Marsh Master Plan supports the Kawainui-Hamakua Master Plan Project’s objectives “to sustain and enhance the natural and cultural resources associated with this area and increase public access and outdoor recreational opportunities”.

LKOC’s Alternative Plan prioritizes objectives and implementation on a smaller scale to avoid negative environmental impacts to the Kawainui and Hamakua wetlands, watersheds, endangered waterbird habitat, and archaeological sites.

LKOC’s Alternative Plan contends that modern buildings, other than those necessary for maintenance operations, and the number of trails, pavilions, driveways and other structural additions are not needed in order to comply with the objectives identified in the “Kawainui-Hamakua Master Plan Project”,

LKOC’s Alternative Plan meets the mandate of Section 6(f) of the Land Water Conservation Fund (LWCF) Program to provide recreational opportunities on lands acquired with federal Land Water Conservation Funds (LWCF).

## **The Lani-Kailua Outdoor Circle Alternative Kawainui-Hamakua Marsh Master Plan Details**

### **Kawainui-Hamakua**

LKOC's Alternative Plan supports the removal of invasive vegetation in the wetlands, naturalization of streams, opening up surface water flows and establishing seasonal mud flats in the 60-acre Kahanaiki Wetland Zone, the Open Water/Pothole Zone and the Wai'auia Wetland Zone.

It supports the creation of additional wetland areas and the improvement of waterbird habitat in the Hamakua wetland.

LKOC's Alternative Plan agrees that "Healthy upland zones provide a protective buffer between developed areas and the wetland" (p. 2-16), and it supports: DOFAW's hybrid ecosystem model for forest restoration; the maintenance of a visual vegetative screen between the roadways and the wetland in the project areas; repair to existing culverts to mitigate storm water runoff discharging into Kawainui and Hamakua; and the creation of detention areas to slow and detain runoff before it enters the wetlands.

LKOC's Alternative Plan does not support commercial activities at these sites or commercial tour buses or vans.

### **Kahanaiki**

Kawainui and Hamakua marshes are home to four of Hawai'i's endangered and endemic waterbirds: the Hawaiian coot ('ālae ke'oke'o), Hawaiian duck (koloa), Hawaiian Stilt (ae'o), and Hawaiian Gallinule (Morehen) ('ālae'ula). These waterbirds are classified as "conservation reliant" meaning they benefit from land protection and the active management of wetlands. Because they face extinction, special management protocols are needed to minimize human impacts on their habitat. The Kahanaiki segment of Kawainui is a designated wildlife sanctuary, and Kahanaiki Stream provides a supportive ecosystem for these endangered birds as well as a resting and foraging place for migratory fowl.

Because this area is designated a wildlife sanctuary requiring special protection, LKOC's Alternative Plan provides limited public access and recreational opportunities through non-commercial DOFAW managed stewardship opportunities, school related educational programs, and hands-on-learning field trips that are designed to be low impact and are not scheduled during waterbird breeding seasons. Once a year, coinciding with Ramsar World Wetland Day, staff led non-commercial tours with no tour buses or vans, will be open to the general public.

This Alternative Plan removes proposals for new parking lots, the maintenance bridge/causeway over or through the wetland and Kahanaiki Stream, and it retains the three existing locked maintenance entrance gates along Kapaa Quarry Road.

LKOC's Alternative Plan does not support commercial activities at this site or commercial tour buses or vans.

### **Na Pohaku (Cash Ranch)**

The Na Pohaku planning area with structural features illustrated in Figure 2.5 is locally referred to as the Cash Ranch. It is physically separated by a gully from the Na Pohaku o Hauwahini site.

LKOC's Alternative Plan for Na Pohaku (Cash Ranch) supports DOFAW's continued upland forestation work and drainage improvements along Kapa'a Quarry Road. It also supports the building of small, low impact hale



(traditional Hawaiian pole and thatched structures) to be used by cultural practitioner groups managed under a State MOA.

LKOC's Alternative Plan supports low impact, reduced human foot print, by: replacing the proposed brick and mortar structures with open air pavilions; decreasing the 35 car parking lot to 15 cars, including a school bus only drop off area; creating a low impact wetland viewing area; and offering staff-led only-on-trail access to the Kahaniki Wildlife Sanctuary.

In LKOC's Alternative Plan, the Na Pohaku (Cash Ranch) section would be a cultural practitioner site with managed public access and recreational activities such as taking part in cultural learning activities, invasive species plant removal, planting of native species, bird watching, non-commercial wildlife photography, and staff/volunteer led non-commercial cultural, historical and ecological tours with no commercial tour buses or vans.

### **Na Pohaku o Hauwahine**

LKOC's Alternative Plan supports public access, recreational and open-air educational and cultural practitioner opportunities at Na Pohaku o Hauwahine. This site offers low impact public access recreation for hikers, open vistas, and areas of tranquility and natural beauty. An existing trail system leads to the Na Pohaku o Hauwahine outcrop and an interpretative platform that overlooks the broad expanse of Kawainui Marsh. Small bird blinds would be added for low impact recreational bird viewing.

This LWCF 6(f) site presently supports place-based education in an outdoor classroom setting for children and adults, and the existing open-air amphitheater would be replaced with an open-sided, covered pavilion built on the same footprint. A covered platform could be incorporated into the design to provide shelter for the staging of cultural and/or educational activities.

LKOC's Alternative Plan restricts access along the wetland boundary of the Na Pohaku o Hauwahine site to designated stewardship groups for supervised restoration activities in order to avoid disturbing nesting and foraging waterbirds. This Alternative removes the proposed 10-12 foot wide trails except in areas where DOFAW maintenance vehicles require access.

LKOC's Alternative Plan supports a small, dirt and gravel, parking lot to accommodate 10 cars and one school bus (by permit or reservation only). This would be built on the existing off-street parking spot adjacent to the entry to Na Pohaku State Park trail head.

Portable and/or composting toilets would be installed at the Na Pohaku o Hauwahine site.

LKOC's Alternative Plan does not support commercial activities at this site or commercial tour buses or vans.

### **Hawaiian Cultural and Environmental Center**

LKOC's Alternative Plan views this area as an important buffer between the wetland and the City & County Transfer Station. It is the site of a former open-burning refuse area that produced considerable ash residue.

LKOC's Alternative Plan calls for soil and water testing of this site for pollutants and contaminants, site and water cleanup, and reforestation with native vegetation.

### **Vegetation Processing Site**

LKOC's Alternative Plan supports the existing green waste processing site, the proposed equipment shed, construction of a small office space and a 6 stall parking area but eliminates the 4,000 sq. ft. proposed facility.

### **Kapa'a Stream, Ditches and Culverts**

The Kawainui marsh area between the Model Airplane Park and the right angle bend in Kapa'a Quarry Road is the natural drainage area of Kapa'a Stream and watershed. Water sheet flows over the road and into a ditch designed to filter water from the old mauka landfill. It then flows into Kawainui Marsh during heavy rain events, carrying with it heavy metal contaminants. The drainage channels on both sides of Kapa'a Quarry Road are not maintained, and are so overgrown that they no longer function as the water filters they were designed and required to be.

LKOC's Alternative Plan calls for regularly scheduled clearing, cleaning and maintenance of both drainage canals so that they will once again filter out contaminants before their waters flow into Kawainui marsh.

LKOC's Alternative Plan does not include development of boardwalks or trails in this area of the wetland, for public safety and ecological reasons.

The area between the right angle bend in Kapa'a Quarry Road and the intersection of Kapa'a Quarry Road and Mokapu Boulevard has been identified as a dangerous section of road. Both ends of Kapa'a Quarry Road have been evaluated in the Kapa'a Industrial Park EIS as areas of gridlock at full buildout of the Industrial Park.

### **Kawainui State Park Reserve**

LKOC's Alternative Plan eliminates the construction of park facilities at this site, including: a modern 3,000 sq. ft. hale wa'a; the 42 vehicle parking area and additional canoe trailer parking, restrooms and showers; the 1,000+ sq. ft. interpretive shelter; and the launching of canoes into Kawainui-Oneawa Canal from the proposed reinforced grass slope. Under this Plan the area will be cleaned of trash and planted with native plants.

LKOC's Alternative Plan does not support commercial activities at this site or commercial tour buses or vans.

### **Levee**

LKOC's Alternative Plan supports continued use of the levee for walking, jogging, sightseeing, and bird watching. In order to protect waterbirds, dogs on the levee must be leashed.

LKOC's Alternative Plan does not support commercial activities at this site or commercial tour buses or vans.

### **Wai'auia**

This area is situated along Kailua Road near the entrance to Kailua town and is under DOFAW jurisdiction. It is bordered by the City's sewage pump station, the levee, and the boundary with Ulupo Heiau SHP. It is a significant wetland area, habitat for endangered waterbirds and historic site.

In 1987, when James L. Watson proposed building a light industrial complex with a park-and-ride theme park extolling the virtues of the marsh at Wai'auia, (ITT), he was quoted in the Sun Press as saying:

"I think a park at the periphery of the marsh would support a redevelopment of interest in teaching people about ecology, culture and history of the marsh. People could come and experience the marsh, which could tremendously further interest in the area."



Mr. Watson, purchased the property from ITT, but through the persistent community efforts of The Lani-Kailua Outdoor Circle, the Kawai Nui Heritage Foundation, Hawai'i's Thousand Friends, and concerned citizens, the City revoked the building permit even though Mr. Watson had already covered the area in fill and had begun construction of a wall. The Board of Land and Natural Resources (BLNR) condemned the nine-acre parcel and the legislature appropriated the money for its purchase.

LKOC's Alternative Plan does not support commercial activities at this site or commercial tour buses or vans.

### **Wai'auia Center for Hawaiian Studies**

LKOC's Alternative Plan recognizes the cultural significance of this site and its view plane values to the residents of Kailua and the state. It supports the burial preserve as a re-interment site for native Hawaiian remains (iwi kupua), the construction of a hula mound, and the pedestrian path connecting Wai'auia to the levee.

The Plan supports the building of a traditional hale or open air pavilion located so as not to obstruct the view plane as seen when entering or exiting Kailua at the bridge.

LKOC's Alternative Plan supports DOFAW's existing gated maintenance road on the makai side of the levee but due to its proximity to the entrance to Kailua and to the open water remnant wetland used by endangered waterbirds, does not support any new parking lots at this site.

LKOC's Alternative Plan sees this area as a valued public resource that should be protected from hardscape and open to all.

### **Ulupo Heiau**

LKOCs Alternative Plan does not support the 8-10 foot wide foot trail proposed to link the levee with the Ulupo Heiau SHP, nor does it support the proposed 365 feet-long boardwalk over or through the wetland.

### **Ulupo Heiau State Historical Park**

LKOC's Alternative Plan supports: (1) the restoration of the cultural landscape around Ulupo Heiau, (2) construction of a small nursery consisting of wooden benches and sunscreens, (3) construction of a traditional pole and thatch halau for non-commercial cultural demonstrations and interpretive gatherings, (4) development of a trail through the park and connecting that trail with the path that runs along the eastern side of Kawainui (but not beyond the boundary where it reaches the northwest boundary of the Kawainui Vista residential neighborhood).

LKOC's Alternative Plan supports cultural protocol, access by cultural practitioners and the general public.

LKOC's Alternative Plan supports the construction of a traditional hale for this site, as defined in the DLNR Kawainui-Hamakua Master Plan Project.

LKOC's Alternative Plan supports the ongoing cultural landscape restoration, scheduled selective access by cultural practitioners, and the cultural educational programs, along with visitation by the public, so long as those programs are not commercial and include no commercial tour buses or vans.

This Alternative Plan offers opportunities for archaeological study and scientific support, and the establishment of protective buffers. This Alternative Plan recommends that restrictions be placed on public access to sensitive sites where artifacts may still be found at ground level.

### **Ulupo**

LKOC's Alternative Plan does not support access to the site from the existing gated driveway connecting Ulupo to Kailua Road or the granting of permits for tour buses or vans to unload visitors along Kailua Road.

LKOC's Alternative Plan restricts public access to locations where there are extant artifacts that could shed light on the pre-contact history of the fishpond and settlement area. This Alternative Plan will identify, evaluate and require restricted access to protect sensitive sites.

LKOC's Alternative Plan provides for a staging area, an internal trail, and the Interpretive Viewing Pavilion identified in Figure 2.9, all of which provide public recreation, educational and stewardship opportunities, and through managed access meet LWCF 6(f) requirements.

### **DOFAW Kawainui Management and Research Station**

The DOFAW Management and Research Station overlooks the Army Corps of Engineers Ponds and is conveniently located next to the area known as Knot's Ranch.

This location, adjacent to Maunawili Stream, the Ponds and DOFAW's Management and Research Station, is ideal for hands-on learning and stewardship opportunities for school and community groups, under the management of DOFAW and DSP staff.

Under LKOC's Alternative Plan this site will support restoration work on the Ponds, the maintenance and management of the waterbird habitat, flood control capacity management, efforts to improve water quality in the wetlands, and educational and research programs to improve understanding of native wildlife resources.

LKOC's Alternative Plan supports replacement of temporary structures with permanent facilities, the removal the temporary office trailers and shipping containers, and the funding of a main line sewer connection.

LKOC's Alternative Plan supports the 1.5 acre area situated at the west end of DOFAW's station that is planned for passive outdoor recreation by the public but does not support commercial activities at this site. This Alternative Plan provides open spaces for bird watching, a small wooden shade pavilion, and parking for no more than 15 vehicles, including handicapped parking but does not support parking or drop off for commercial tour buses or vans.

LKOC's Alternative Plan recommends an interpretive pavilion with temporary portable or composting toilets for use until a sewer line is connected. This pavilion would be used for interpretive displays, educational and stewardship instruction, and to provide shelter from the elements.

LKOC's Alternative Plan supports construction of wooden decks at this location and their connection to a foot trail to access the Ponds.

### **Mokulana Peninsula**

LKOC's Alternative Plan recommends that the two DOFAW entry driveways be divided into separate functions with the one at the intersection of Kailua Road and Aulua Road designated as public access, and the makai entry limited to DOFAW maintenance staff and access for school and cultural groups interested in reserving the program staging area for activities under the management of DOFAW-DSP. A gate would separate the internal driveway between the public viewing area and the programming area. Both sites would be closed and locked at night. LKOC's Alternative Plan does not support commercial activities or commercial buses or vans at either of these sites.



Public access at the Aulua light would bring visitors into a viewing area surrounded by a small trail. Visitors could also access the site from the nearby bus stop. LKOC's Alternative Plan supports the proposed creation of a low wetland vegetative buffer, a small parking lot with handicap access, a small interpretive pavilion overlooking the wetland and a protective fence separating people and dogs from the wetland.

In LKOC's Alternative Plan neither site will be opened at night, so lighting will not disturb migratory or endangered waterbirds.

In LKOC's Alternative Plan DOFAW equipment parking would be moved to the existing maintenance area off Kailua Road that leads to the lower Army Corps of Engineers Ponds. Educational restoration and management activities will be provided through managed supervised access through this maintenance driveway.

LKOC's Alternative Plan does not support the construction of the proposed maintenance causeway/path between Mokulana Peninsula and the DOFAW Management Research Station.

LKOC's Alternative Plan does not support the construction of the proposed maintenance causeway/path over the wetlands and Kahanaiki Stream to connect Mokulana Peninsula to the Kahanaiki wildlife sanctuary.

### **Hamakua Marsh Wildlife Sanctuary**

LKOC's Alternative Plan continues DOFAW's current wetland management and recovery efforts for endangered birds and plant species at this site and habitat improvement for migratory shorebirds.

This Alternative Plan supports the proposed one-acre expansion on the south side of the wetland to increase suitable habitat, the removal of trees and vegetation from the mauka boundary to increase the wetland boundary, and the proposed two acre wetland enhancement along the remaining mauka boundary.

LKOC's Alternative Plan limits the human footprint and man-made disturbances at this site. The Army Corps of Engineers Ponds, Na Pohaku o Hauwahine, Ulupo State Park, and the former Knot's Ranch areas provide opportunities for service learning projects and other place-based educational programming with schools and non-profit organizations, and should be considered alternative locations for human access activities proposed in the Hamakua Marsh Wildlife Sanctuary. An exception can be made for students attending schools within walking distance of the wetland who are working on a supervised project.

Expansion of the existing unpaved parking area to create a program staging area may not be needed if most placed based educational programming with schools and non-profit organizations are relocated to less sensitive sites that serve the same educational purpose.

LKOC's Alternative does not support commercial activities or commercial tour buses or vans at this site.

### **Pu'uoehu Hillside**

LKOC's Alternative Plan supports alien plant species removal and replacement with native plants in limited increments to prevent erosion and sediment loading into Hamakua wetland.

LKOC's Alternative needs clarification of the Master Plan comment that proposed trails are not for general public use. The EISPN provides many examples of public access for educational and stewardship opportunities and we ask that the DEIS provide information on the number of individuals per day that would be allowed access to these trails for educational and stewardship activities, as well as how this access will be regulated.

LKOC's Alternative Plan does not support commercial activities or commercial tour buses or vans at this site.

## **APPENDIX A: Information that Needs to be Provided in the DEIS**

1. The DEIS should provide information on Kawainui Marsh's eligibility for listing on the National Historic Register of Historic Places, and definitions of "historic property" and "archaeological site".
2. The DEIS should identify the specific areas in Kawainui-Hamakua that are "state wildlife sanctuaries" and list a variety of controls that can be used to manage access, the number of people using a site, and the types of use allowed.
3. The DEIS should address the types of motorized vehicles that are allowed within the designated state wildlife sanctuary areas and state whether these "vehicles" could include ADA mobility devices such as wheelchairs, segways and motorized scooters.
4. The Plan states that within Kawainui, access to the wildlife sanctuary areas is restricted to the perimeter marked trails and roads, or other marked trails or roads. The DEIS should identify how DOFAW will enforce this restriction.
5. The DEIS should clarify whether non-profit or for-profit contractors could be granted permits for management and maintenance operations in Kawainui-Hamakua; whether limits can be placed on the size of these groups; and what type of oversight, if any, DOFAW/DSP staff would have on their work.
6. The DEIS should identify the types of commercial permits allowed in Kawainui-Hamakua, the number of permits per day per site allowed, and the number of commercial buses or vans that could be included in the permit.
7. The DEIS should provide a limnology study to explain Kawainui marsh's ecological systems interaction with the wetland and watershed drainage basins and environment.
8. The DEIS should provide information on existing structures (amphitheater, storage huts, etc.) at the Na Pohaku o Hauwahine site, the parking lot, the concrete block overlook with interpretive signs, interior trails and roadways, and the Na Pohaku o Hauwahine outcrop and cultural rock formations. These features should be added to Figure 2.5 Conceptual Plan Sub Area B - Na Pohaku Section...".
9. The DEIS should explain why restoration and protection of the marsh cannot be accomplished by DLNR - DOFAW/DSP without building modern structures and complexes along the perimeter of the wetland.
10. The DEIS should provide information on past uses of the Cash Ranch Na Pohaku site and clarify that it is not specifically the location of Na Pohaku o Hauwahine rock but rather an area adjacent to, and physically separated from, the rock by a gully.
11. The DEIS should clarify what is meant by traditional cultural practices and how these practices can be addressed in Kawainui-Hamakua without the construction of modern walled buildings that use modern materials.
12. The DEIS should explain how it determines which cultural practitioner groups or individuals will have access to Kawainui-Hamakua for traditional practices.
13. The DEIS should explain how endangered species habitat is defined and where it is located in Kawainui-Hamakua, and discuss the concept of connectivity of habitat and the migratory patterns of Oahu's endangered waterbirds and aquatic life.



14. The DEIS should provide information on:

- a) the size of the reforestation efforts for the lowland mauka boundary of the Hamakua wetland, including the type of vegetation to be removed and the BMPs proposed for removing vegetation to avoid silt runoff after the area is cleared and before new vegetation becomes mature enough to mitigate erosion
- b) the amount of land already available for DOFAW staging areas and the combined size of the staging areas after the proposed increase,
- c) the length of the proposed trail on the Pu'uoeahu hillside; how wide it would be, what materials would be added to the trail, and the anticipated number of people using the trail, including staff, stewardship, educational groups, cultural groups and visitors.
- d) how much ground cover would be lost from the hillside watershed by reforestation vegetation removal and trail clearing and what impact this could have wetland water quality during heavy rain events
- e) the types of vehicles, including bicycles, that would be allowed to use the trail, and the management plan to control their numbers and prevent illegal after-hour use.

15. The DEIS should have a Figure that shows the wetland designation boundary and a comparison/explanation of how its size and location have changed over time.

16. The DEIS should change the name of Figure 2.2 from DOFAW Management Area to DOFAW Wetland Management Area since DOFAW also manages the riparian/upland forested areas. If this figure is intended to identify all area of DOFAW management then it need more clarification.

17. The DEIS should clarify the use of the term "pedestrian" in Figure 2.3, since non-DOFAW staff will be using the trail and paths on the Pu'uoeahu Hillside and lowland area in the proposed plan. If pedestrian path is used in the Figure to mean an unimproved sidewalk that should stated.

18. The DEIS should provide the size of the vegetative processing area identified in Figure 2.6; the percentage of the area (or square footage) that will be used for composting; information on any reforestation proposals for unused segments of the area, especially the lower buffer zone separating it from the wetland, and how much if any of the area will be covered with grass or left bare.

19. The DEIS should include data related to water testing and/or disease records associated with the Army Corps of Engineer Ponds.

20. The DEIS should identify instances when water from Maunawili Stream or sources outside of the pond boundaries has entered the Army Corps of Engineers Pond system, and what management efforts have or will be implemented to prevent the interchange of water between the natural and engineered wetlands.

21. The DEIS should provide an accurate estimate of the amount of vegetation (by acre or square feet) that will be removed from Kawainui-Hamakua area in order to implement the construction of buildings, pavilions, viewing platforms, overlooks, staging areas, lawns, open areas, parking lots, and road, trail or foots paths proposed in the Master Plan.

22 The DEIS should address the potential for environmental impact on land and aquatic habitat, especially changes in water quality that could result from the removal of vegetation during construction of the physical structures, roads, trails, pathways, lawns and open areas proposed in the plan.

23. The DEIS should address the quality of water entering Kawainui Marsh from ditches and culverts that transport water originating in Kapa'a Stream, and/or propose plans to gather this information, and recommend remediation measures.

24. The DEIS should provide more information related to Figure 2.6 and describe:

- a) the small canal or waterway separating the two segments of the proposed Hawaiian Cultural Complex
- b) the type of trail, bridge or foot path proposed to connect the two sites of the Complex
- c) the amount of existing vegetation and forested area on the 10 acre-site that will be cleared in order to build and operate the Complex
- d) the proximity (in feet) of the proposed buildings to the wetland boundary
- e) the proximity (in feet) of the proposed human access to the wetland boundary
- f) the location of endangered water bird nesting habitat on the sites
- g) the barriers, if any, that would be built to keep people and pets from the wetland and/or prevent disturbance to nesting birds

25. The DEIS should include a traffic impact study. This study should include an assessment of traffic impact from the addition of 3 or more new driveway entrances at Kapa'a Quarry Road, and the cumulative impact of traffic from Le Jardin Academy, the City Transfer Station, HC&D/Ameron quarry operations, Kapa'a Industrial Park and its proposed expansion, and other commercial operations that use Kapa'a Quarry Road.

26. The DEIS should identify how many new offices are being proposed by DOFAW and State Parks and where they would be located within the marsh.

27. The DEIS should provide information on:

- a) the proposed ownership and management of each of the modern buildings proposed for Kawainui-Hamakua
- b) the size, function and staffing of the proposed caretaker residence in Figure 2.6.

28. The DEIS should identify the location and length all new interior roads (or 10-12 foot paths) proposed in the plan and the type and number of vehicles and/or machinery that will be used on these roads or pathways.

29. The DEIS should add detailed Figures:

- a) identifying the location of the ditches and culverts along Kapa'a Quarry Road, the past and present location of Kapa'a Stream, and where Kapa'a interfaces with Kapa'a Quarry Road and Kawainui Marsh
- b) showing the present ownership of the various sections of Kapa'a Quarry Road that make up its totality.

30. The DEIS should clarify the structural and use differences between the interpretive center and the interpretive shelter proposed in Subarea C: Kapa'a Kalaheo.

31. The DEIS should provide a base count of endangered and migratory birds that rest, nest or forage in Kawainui-Hamakua marshes.

32. The DEIS should provide information related to the Army Corps of Engineers Ponds on:

- a) water quality monitoring
- b) the occurrence of bird or aquatic species disease and mortality rates
- c) population increase data for specific endangered water birds, migratory birds and aquatic species
- d) an update on the status of the management plan presently in place including water quality studies, measurement of seasonal water quantity and levels in the ponds
- e) the number, condition and effectiveness of the solar water pumps
- f) the number of ponds with water and those that have functionally healthy habits



33. The DEIS should identify the types and amount of herbicides proposed to remove vegetation and the peat mat in the wetlands.
34. The DEIS should provide information on potential off-site educational programming, alternatives to cars and tour buses for accessing Kawainui and Hamakua marshes, and strategies on how to manage access so as to minimize harm to the resources. The DEIS should base these on community recommendations in the state supported community report "Interpreting Kawainui-Hamakua Recommendations for the Kawainui Master Plan Update" July 2012
35. The DEIS should identify the type of fencing being proposed to separate people and predators from endangered waterbirds and their habitats, how many such areas would be fenced, and the cost of fencing.
36. The DEIS should identify the type of vehicles that can use the shared use paths, whether or not mobility devices such as segways, golf carts, and electric scooters (under the Americans with Disabilities Act ADA) are allowed, and what vehicle use enforcement regulations are proposed.
37. The DEIS should identify the types and numbers of canoes that would be allowed to launch at the Kawainui State Park Reserve - Kapa'a and Kalaheo Section and what agency, organization or individual is to decide who may launch and/or use the facilities.
38. The DEIS should identify the types of "commercial" and "non-commercial" watercraft besides canoes that could be permitted to launch at the Kawainui State Park Reserve - Kapa'a and Kalaheo Section, the number that could be allowed to launch, and what agency or organization would make those decisions.
39. The DEIS should define "primary habitat" in the plan.
40. The DEIS should define the term "visitor" and specify whether or not, under what circumstances, and to what extent visitors would be allowed/permitted in the primary habitat. If visitor access to primary habitat is regulated, what kind of regulations would be established and who would enforce the regulations?
41. The DEIS should define "permanent cultural presence" in the plan.
42. If members of the public are restricted from using areas identified in the plan as areas providing for a permanent cultural presence, the DEIS should identify the criteria used to select the permanent cultural group or groups and identify in the plan the areas they would use.
43. The DEIS should identify who will pay for the proposed modern buildings at the Wai'auia and the Kapa'a cultural sites or other marsh sites, the nature and duration of the lease(s) given to private entities, and the circumstances under which the public would have access to these areas.
44. The DEIS should explain who or what agency or organization would own a building paid for by a non-government person or organization and what, if any, limitations would be placed on DOFAW/DSP's management of these structures, buildings and/or complexes.
45. The DEIS should list the number of modern buildings being proposed in the plan, what each building will be used for, the size of each building, and the materials to be used to build it.
46. The Figure identifying LWCF areas has two shades of blue. The DEIS should clarify which of the areas associated with Ulupo, Ulupo Heiau and Ulupo Heiau State Historical Park were purchased using federal LWCF funds. It should also (a) explain the difference between LWCF acquisition and development projects, (b) identify which of the LWCF sites is an acquisition or a development site, and (c) what the requirements are for each of these types of sites.

47. The DEIS should provide information on who will pay for maintenance, trash collection, and security at each proposed development site.

48. The DEIS should identify the number of parking lots there will be in Kawainui-Hamakua, which of those parking lots will be locked/closed at night, and the number of personnel needed to monitor the opening and closing of the parking lots.

49. The DEIS should address which if any areas, facilities or trails will be monitored at night and what management plans will be implemented to prevent these from becoming temporary homeless shelters or used for other purposes.

50. The DEIS should identify management plans to prevent shearwaters or other birds from being attracted to lights in Kawainui-Hamakua, and identify impacts to endangered bird populations attracted to these lights.

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Diane Harding, President  
The Lani-Kailua Branch of the Outdoor Circle  
P.O. Box 261  
Kailua, Hawai'i 96734

Dear Ms. Harding:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. The Lani-Kailua Branch of the Outdoor Circle has been added as a consulted party, and will receive a copy (CD) of the Draft EIS when published for review.

Thank you for the suggested LKOC's Alternative Plan and the thought put into identifying changes suggested for various areas. An important component of the project is on wetland restoration, upland reforestation, and enhancing habitat for endangered waterbirds consistent with the many themes associated with your alternative plan. Although the suggested alternative plan supports preservation of historic and cultural resources, it does not provide many suggestions that actually support providing reasonable and practicable opportunities for non-profit organizations to truly establish a permanent presence in this area to conduct cultural practices and educational programs. It should also be clarified that the project is not providing commercial operations or activities for visitors, and commercial tour buses are not being accommodated within improved areas.

We understand your concerns and opposition to visitors to Kailua, and your subsequent opposition to any project changes that may attract more visitors to Kailua and this project site based upon your comments. Unfortunately, the alternative plan suggestions do not practicably support the purpose and need for the project, the State's missions, the need to provide reasonable public access for all, nor do they support Ramsar objectives. The project is intended to support Ramsar objectives, agency missions, provide managed public access and outdoor recreation, and support cultural practices. The interests of the entire State of Hawai'i need to be considered because Kawainui is a state resource of international importance for the entire public to enjoy.



It should be noted that Ramsar supports sustainable tourism, recreational use, and cultural practices within designated international wetlands of importance. Ramsar views sustainable tourism as maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (e.g. pedestrian trails, education center, etc.) supporting these aspects recognized under Ramsar. Project improvements support educational programs by providing shelter and restrooms for students, and allow passive recreational use (trails) within designated upland areas furthering the observation and appreciation of nature and wildlife. The LKOC's Alternative Plan does not really support these objectives, instead providing only restricted, very limited, and superficial access for the public.

The project's conceptual plans proposed fully support the Public Trust Doctrine of the Hawai'i State Constitution, by conserving and protecting this natural resource for the benefit of present and future generations. Public benefits would further be achieved by providing managed public access to allow for the enjoyment of this resource by all. Improvements are intended to improve Hāmākua's wetland and restore Kawainui's wetland and upland areas that are consistent with managing this public natural resource. The project sets the framework for programming and implementing improvements thereby reducing uncertainty in the management and future use of this resource. Plans are also intended to promote the utilization of this resource in a sustainable and managed manner by providing improved public access and opportunities for educational programs and stewardship consistent with the conservation and development of resources under the Constitution. It also supports traditional and customary rights of native Hawaiian's for cultural purposes under Article XII of the State Constitution.

These improvements proposed are viewed as appropriate for this resource, and would not have a significant negative impact on the watershed or wetlands as discussed in the Draft EIS. The activities and locations of support facilities proposed under this project are appropriate and would not have a significant negative impact on the environment. Pedestrian trails support public access at Kawainui, the education center supports visitors and programs, and areas designated for cultural practices have been located at appropriate upland sites within Kawainui. Non-profit organizations operating cultural centers are intended to support stewardship of their areas and conduct educational programs, and thus need to be appropriately located at Kawainui. The suggested public access under the alternative plan does not truly support Land and Water Conservation Fund (LWCF) requirements for public access and outdoor recreational opportunities for all.

We don't view "modern" buildings as being detrimental to the environment. Such buildings would include tool sheds, plant nurseries, restrooms, and parking shelters to support restoration work, public access, educational programs, and cultural practices. We believe the more important consideration of proposed structures is their purpose and the type of activities they would be supporting. The Draft EIS addresses establishing building and landscape design guidelines for Kawainui so that structures can have a more unifying vision and generally consistent themes. Such guidelines can ensure a level of consistent themes, while providing flexibility for different and unique design concepts.



### LKOC's Alternative Plan Details

We have the following comments to the alternative plan detailed suggestions for various areas that primarily concern areas needing clarification or responses to concerns. Much of the suggested details are already being proposed under this project.

1. Kawainui-Hāmākua. We appreciate your support for wetland restoration and upland reforestation improvements discussed under this project, and the Draft EIS provides more information. We need to clarify that commercial for-profit activities for visitors are not included as part of project improvements, and such activities were not described in the EISPN. This misperception of this issue may be the result of misinformation on the project that has been spread throughout the community.
2. Kahanaiki. Educational programs, cultural practices, community service learning projects are already supported by proposed improvements. However, allowing only a once a year opportunity for the general public to visit this area under staff-led tours does not support public access, LWCF requirements, and the project need and objectives. Such a restriction does not truly provide reasonable public access. A parking lot at the south end of this Kahanaiki area is needed to provide reasonable access for the public, and would support educational programs that occur within this area. The proposed bridge crossing over Kahanaiki Stream would not be constructed within the wetland, and is needed to support DOFAW management access within areas along with access along the pedestrian trail.
3. Nā Pōhaku. This suggestion does not support reasonable public access because the kauhale complex would not adequately serve the purpose of the education center for visitors. The Draft EIS discusses the purpose for this education center, its management function, support for educational programs, etc. Overall, the size and footprint of this education center would not have a significant impact on the environment. Just having open air pavilions do not adequately support visitor management and activities within this area because DSP or a non-profit organization operating this center needs sufficient facilities to properly support operations. Open pavilions do not support daily staff activities, and better serve as temporary shelter for visitors. Having only staff-led access for visitors to this area without support facilities is not practicable to implement and sustain. The project's proposed parking lot is sufficient to accommodate projected visitor levels, whereas a 15-stall parking lot would not be adequate, and provides only minimal and superficial support for public access.
4. Nā Pōhaku o Hauwahine. The only improvements proposed here would be connecting foot trails from Pōhakea to this site. Existing structures are not planned to be replaced with a new covered pavilion because these structures were built by a non-profit organization for educational and cultural programs being conducted under their curatorship agreement. Public access at this site is already allowed and occurring, and DOFAW would address wetland access restrictions as part of their ongoing management activities. There are no 10 to 12 foot wide pedestrian trails proposed at Nā Pōhaku, since existing foot trails would continue to be used. There is not enough space at the present trail head entrance to Nā Pōhaku to accommodate at 10 car parking lot. However, the parking lot proposed at Pōhakea serving the education center is intended to satisfy this need, and would provide a safer area with vehicles being located further away from the roadside. Restrooms proposed at the education center would provide better facilities to serve the public instead of portable toilets at Nā Pōhaku.



5. Hawaiian Cultural Center. This site is proposed to allow construction of a cultural center by a non-profit organization to support cultural practices, stewardship opportunities, and educational programs. Based upon prior studies of Kawainui, there are no known hazardous waste issues associated with this site, and this is discussed in the Draft EIS. The non-profit organization developing this site can conduct soil tests as part of their design work, if appropriate, and would remove trash or debris cleaning up this area as part of site improvements. Reforestation of their area with native vegetation is included.
6. Vegetation Processing Site. Facilities proposed for this site are intended to adequately support vegetation processing activities, which require an operations facility. Such a facility would not be open to tourists, which does not contribute to your concerns and opposition to visitors.
7. Kapa'a Stream, Ditches, Culverts. The drainage ditches along Kapa'a Quarry Road near the City's model airplane park are owned by the City. Therefore, any maintenance or vegetation clearing for them would need to be performed by the City. The project being studied under this Draft EIS does not include pedestrian trails or boardwalks from the model airplane park toward Kalāheo because they are not programmed within the study timeframe and phasing plan. DSP would prepare a separate environmental document in the future if and when they are ready to implement such improvements. Improvements from the bend in Kapa'a Quarry Road to Mōkapu Boulevard only consist of wetland restoration and upland reforestation improvements that would not contribute to increased long-term traffic along this roadway.
8. Kawainui State Park Reserve (SPR). It should be clarified that improvements shown for the Kawainui SPR, Kalāheo Section (park site) are already permitted and entitled, with the exception of the hale wa'a. The project also proposes to eliminate the pedestrian bridge over the Kawainui Canal. These improvements can already be implemented by DSP if they are ready to proceed. The Draft EIS thus includes these park improvements as part of the No Action Alternative.
9. Levee. DOFAW is planning to restrict dogs from being allowed on levee, and will be taking steps to enforce this in the near future.
10. Wai'auia and Center for Hawaiian Studies. Wai'auia needs wetland restoration and currently does not provide suitable habitat for endangered waterbirds. The Kahanaiki area and the restoration ponds currently provide better habitat, and are the focus of DOFAW's initial phase of restoration efforts. Only a pedestrian and foot trail and observation area are proposed here to provide a connection with the levee. The site for the cultural center is a culturally important area, which supports locating the cultural center there and would support management and maintenance of the reinternment site being established there. There are no known historic sites present within this upland area. A hale or pavilion located here instead of a center currently proposed would be inappropriate and not reasonable to truly support cultural practices and other activities. Such a structure only provides superficial support for temporary access and does not adequately support the project need. The cultural center would not have significant impacts to view planes of Kawainui, and is located adjacent to the City's wastewater transfer station. Landscaping would provide further visual buffers. Views of Wai'auia, the levee, and Kawainui from Kailua Road occur southwest (mauka) of this site, and are more visible closer to the levee. Furthermore, this cultural center would not be open to the general public, which should alleviate your concerns and opposition to visitors and tourist to this area.



11. Ulupō Heiau and State Historical Park. The pedestrian and foot trail linking the levee with Ulupō Heiau and further areas within this State park site are intended to support public access. The boardwalk over some wetland sections is intended to keep visitors away from residences and the steeper hillside. There would be no reasonable public access through this area without the trail and boardwalk, which does not support the project's purpose and need. The other program-related elements, buffers, and restriction of commercial activity supported by the alternative plan are already generally proposed under this project or are presently occurring (e.g. educational programs). The project does not include using the gated driveway from Kailua Road to the Windward YMCA's rear parking lot to serve Ulupō Heiau. The Draft EIS includes information addressing enforcement to prevent parking along Kailua Road to access this area by tour buses. The final design of the foot trail along the Kūkanono subdivision hillside would be routed to avoid impacting existing historic sites in this area that predominantly consist of terraced walls. It is envisioned that interpretive signage could be incorporated along the path to educate visitors of the area's history, which is common at other state and national parks.
12. DOFAW Management Station. The replacement of DOFAW's temporary structures with permanent modern buildings and program-related elements supported by the alternative plan are already proposed under this project. Educational and research programs, etc. are presently occurring within this area in coordination with DOFAW. Commercial activities are not proposed at the passive outdoor recreational area west of DOFAW's management station. As suggested, a restroom facility can be considered for this area, both on an interim and permanent basis using an individual treatment system.
13. Mokulana Peninsula. Both driveway accesses to this peninsula are planned to be gated and available only as part of management activities, educational and cultural programs, etc. coordinated through DOFAW. The other components proposed for this site are already generally incorporated in the project's plans, and dogs would not be allowed within these areas. This area would not be open at night. Bridges crossing over streams would not be constructed within the wetland, and are needed to support DOFAW management access within areas along with access along the pedestrian trail.
14. Hāmākua Marsh. Educational programs, cultural programs, and community service learning projects are already permitted and occurring within Hāmākua, and the project would not change this. These programs and activities support the project's purpose and need, and Hāmākua is an important resource for these activities and supported by DOFAW. Improvements proposed at the gated entrance are needed to support maintenance activities, serve as a staging area, and accommodate programs occurring.
15. Pu'uoeu Hillside. Proposed trails on Pu'uoeu would not be open to the general public because they are intended to support DOFAW management and reforestation activities. However, DOFAW may permit occasional community service learning projects or day events for the public to visit this area, learn of the resource and activities, etc. The Draft EIS includes information on programs and activities projected for this area.



## Appendix A: Information Requests

We have the following comments to the numbered comments and requests for information in this section.

1. The Draft EIS discusses the background on Kawainui-Hāmākua's eligibility for listing on the National Historic Register. An archaeological site is a place in which evidence of past activity is preserved, and has been investigated. Historic property is any prehistoric or historic site, building, or structure that is eligible for inclusion on the National Register.
2. The EISPN addressed the area and regulations associated with the state's wildlife sanctuary, and the Draft EIS discusses this as well.
3. No motorized vehicles are allowed within the state wildlife sanctuary, except those vehicles and activities authorized by DOFAW. Pedestrian and foot trails are not intended to support motorized vehicles, such as scooters or segways, or bicycles because they are intended only for pedestrian traffic. Certain sections of pedestrian trails would be designed to accommodate ADA mobility, such as a path from the parking lot to the education center.
4. The Draft EIS discusses how public access within the wildlife sanctuary would be managed and regulations enforced.
5. Only non-profit organizations would be granted permits to conduct educational programs, cultural practices, participate in stewardship opportunities, and community serving learning projects as previously discussed. DOFAW and DSP would be responsible for the overall management of the project area. The operation of cultural centers and the education center were previously discussed under that heading.
6. The Draft EIS discusses that up to 100 commercial visitors per day are allowed within the Kawainui and Hāmākua wildlife sanctuaries under State regulations. DOFAW and DSP have no current plans to issue commercial permits for visitors to this project area.
7. A limnological study of Kawainui and Hāmākua's waters is not necessary for the Draft EIS. There is sufficient information from technical studies conducted and information discussed in the Draft EIS to address project impacts on inland waters within Kawainui and Hāmākua and allow for objective evaluation of the project. Wetland restoration improvements would have a significant beneficial effect on Kawainui's wetland and ecology. Restoration improvements removing invasive vegetation and peat mat would have beneficial effects on aquatic resources based upon a biological study conducted and included in the Draft EIS. Other project improvements (e.g. education center, cultural centers, pedestrian trails) would not have a significant negative impact on these waters as discussed in the Draft EIS.
8. The Draft EIS includes sufficient information on existing improvements made at Nā Pōhaku by the non-profit organization serving as curator for this site, which includes existing foot trails. Every specific feature of this area does not need to be included or shown on the project's conceptual plan because no improvements are being proposed to existing features at this site under this project. Discussion of existing features are included in the Draft EIS. Thus, the project would not impact existing improvements.
9. Structures and other improvements proposed within upland areas setback away from the wetland perimeter (e.g. cultural center and education center) are not for wetland restoration and upland reforestation activities. These structures support other project purposes and need, such as public access and cultural practices. We don't view "modern" buildings as being detrimental to the environment. Such buildings include tool sheds, plant nurseries,



restrooms, and parking shelters to support restoration work, public access, educational programs, and cultural practices. We believe the more important consideration of proposed structures is their purpose and the type of activities they would be supporting.

10. The Cash ranch site is no longer present, and all structures associated with that operation have been removed. It is located within an area referred to as Pōhakea in the Draft EIS, which clearly distinguishes this site from Nā Pōhaku, and there is a small drainageway (gully) between these sites. Background information on this former ranch operation is provided in the Draft EIS, however, its past use is not pertinent to addressing proposed project effects on current site conditions.
11. The Draft EIS discusses the types of cultural practices that are proposed to occur at cultural centers. Regarding “modern” buildings, please refer to response No. 9 above.
12. Areas designated to support cultural practices would be constructed and operated by non-profit organizations selected through the State’s open and competitive procurement process to be determined later when being implemented, such as a Request for Proposals solicitation. Organizations desiring to conduct educational programs, participate in stewardship activities or programs, or conducting cultural practices at Kawainui or Hāmākua can already contact DOFAW or DSP to inquire about obtaining permits authorizing limited access for these activities.
13. The Draft EIS discusses endangered waterbirds, aquatic resources, and their habitat. Technical studies conducted and included in the Draft EIS discuss these resources and avifauna in greater detail. Habitat for endangered waterbirds occurs within the wetland areas of Kawainui and Hāmākua.
14. The Draft EIS includes information on reforestation improvements planned above Hāmākua’s wetland and into the Pu’uoeahu hillside. This includes best management practices that could be utilized to minimize short-term effects. Information on existing vegetation is provided based upon a botanical study conducted, and predominantly consists of invasive vegetation in this area, such as koa haole.

Land presently used for staging areas typically consist of open areas used for vehicle parking, group mobilization, etc. Designated staging areas under this project would only be about one (1) acre in total size. As areas are improved in phases, designated staging areas would be designed and improved at that time. The size of such staging areas would not have a significant impact on the environment, and would consist of impervious material, such as gravel.

The length of the maintenance trail on the Pu’uoeahu hillside would be about 1.2 miles in length, and its final configuration would be determined as DOFAW implements this improvement. The trail would vary from 8 to 10 feet wide, and would likely either be an unpaved dirt or gravel trail. As discussed in the Draft EIS, this trail would be for DOFAW management and reforestation activities. It would not be open to the public, unless DOFAW schedules occasional day events for the community to visit this resource.

Reforestation improvements on the Pu’uoeahu hillside would result in minimal ground cover loss because invasive vegetation would be replaced with native vegetation. Reforestation activities would be implemented in many smaller phases over time likely involving relatively small areas at a time (e.g. few acres), and would be subject to funding availability. Reducing thick overgrowth of smaller trees and invasive vegetation would actually improve storm water runoff because grass and other low lying vegetation would now be able to grow. Current ground cover generally consists of bare soil in many areas



because grass cannot grow without sufficient sunlight due to dense overgrowth. These improvements would thus have minimal negative effect on Hāmākua's wetland and water quality. Upland restoration completed of lower areas of Pu'uoeu's hillside have had no issues with runoff into Hāmākua's wetland and has improved drainage by providing more pervious areas.

Public vehicles and bicycles would not be allowed on the hillside trails because this trail would be for DOFAW management and reforestation activities.

15. The Draft EIS includes information on the estimated boundary of the wetland that is also shown on figures. A comparison of the changes to the size and location of these boundaries over time is not necessary to address impacts on the wetland. All structures associated with facilities are sited well inland of the wetland boundary. The wetland boundary at Kawainui is predominantly dictated by existing elevations and does not change significantly due to the rise in elevation proceeding up upland areas. Furthermore, only the current wetland boundary is important in terms of regulatory jurisdiction. DOFAW is not proposing to expand the wetland area at Kawainui, but implement restoration efforts to remove invasive vegetation.
16. The figure in the EISPN is named appropriately, and the Draft EIS figure showing this is also appropriate. The Draft EIS discusses that DOFAW manages both wetland and upland areas under their jurisdiction.
17. The Draft EIS explains what a pedestrian trail and a foot trail entails. Unimproved "sidewalks" are not included in the project area.
18. The Draft EIS includes more information on the size of structures and activities occurring at the vegetation processing site. When this site is developed, design plans would be developed that determines specific building locations, footprint sizes, access road layout, and other operational uses of the area. The vegetation area bordering the wetland would likely remain, but vegetation could be maintained (mowed) to manage the site and prevent invasive vegetation from overtaking the area. All areas along the wetland would be vegetated. The information discussing plans for this vegetation processing site is sufficient to address its impacts.
19. The project does not include any improvements or changes to the restoration ponds. Water test results and disease records for these ponds are not necessary to address impacts from project improvements.
20. The Draft EIS discusses the existing restoration ponds that were constructed by the U.S. Department of Army, Corps of Engineers (USACE). Some water from Maunawili Stream is occasionally pumped into these restoration ponds if necessary due to prolonged periods of dry weather. Otherwise, water from natural rain events serve as sources for maintaining water levels within the restoration ponds. Management to prevent the interchange of water between these ponds and Kawainui's wetland is not required because both water sources are used by waterbirds as habitat. The project's purpose and need do not include changing these ponds.
21. The Draft EIS includes sufficient information on proposed improvements and areas affected to address impacts from their construction. Specific acreage of buildings, etc. are not necessary to evaluate impacts, and the Draft EIS discusses the effects on water quality, aquatic resources, and increased discharges from developed areas. The design of specific improvements, such as cultural centers, would be determined as part of the design phase



when implemented. Thus, buildings could be consolidated, reduced in size, etc. that would change the specific acreage of areas.

22. Please refer to response No. 21.

23. The Draft EIS addresses stormwater runoff entering Kawainui from upland areas along Kapa'a Quarry Road. Information on Kapa'a Stream is also included.

24. A drainageway from Kapa'a Quarry Road is located between the two upland areas designated for a cultural center in the Kapa'a subarea, and the Draft EIS identifies this drainageway. The Draft EIS describes the pedestrian trail proposed within this area.

Existing invasive vegetation at this site would be cleared as part of site improvements for the construction of the cultural center. Landscaping would be added as part of the center using native vegetation, and the non-profit organization can conduct additional reforestation improvements within their area. A wetland vegetative buffer is also planned. The amount of vegetation cleared and replaced with native vegetation may not include the entire site, but would likely involve the majority of the site having a positive effect by removing invasive vegetation. More details would be determined as part of the design plans developed for that center. The Draft EIS discussing plans and vegetation removal for this site provide sufficient information to address its impacts on the environment.

Buildings would be setback at least 20 feet from the wetland boundary providing sufficient distance to minimize impacts on the wetland and wildlife. Access would be allowed over the entire site and is needed to support educational programs, cultural practices and activities, and maintenance of this area. Stewardship activities conducted by the non-profit organization would support maintaining vegetation and wetland buffers to prevent invasive vegetation from overtaking this site again.

There are no known waterbird nesting sites within this site, and the non-profit organization developing the site would coordinate with DOFAW prior to construction to ensure any waterbird nesting habitat is not impacted. Pets would not be allowed at this site, activities from this center would not occur within the wetland, and activities would not disturb nesting sites. However, wetland restoration activities near this site implemented by the non-profit organization could be coordinated with DOFAW and would have a beneficial effect on this resource.

25. The Draft EIS includes a traffic impact analysis report that addresses the project's impact on major intersections around the Kawainui project area. Discussion of traffic generated from the various sites within the project area generating major activity is also included in the Draft EIS. Traffic counts taken at pertinent study intersections along Kapa'a Quarry Road capture the cumulative traffic generated by other existing uses in this area.

26. The Draft EIS discusses proposed buildings for DOFAW's use, which are primarily at their research and management station. DSP would not have their own office building, but could utilize an office within one of DOFAW's buildings.

27. The Draft EIS discusses the proposed ownership and management of project buildings. Pertinent information on the caretaker's residence for the cultural center at Kapa'a is provided in the Draft EIS.

28. The Draft EIS includes pertinent information on DOFAW maintenance roads proposed that would also support use as pedestrian trails. Information on its use is discussed as appropriate, and is sufficient to address impacts.



29. The location of known drainageways and streams are shown on the individual concept plans for subareas, and on other pertinent figures in the Draft EIS (e.g. section on streams). The location of existing culverts along Kapa'a Quarry Road are not necessary to be shown. Existing culverts within the Kahanaiki section are planned for repair, and are already entitled for implementation. The Draft EIS includes discussion of the type of repairs proposed that are sufficient to address their impacts, which are beneficial to the area. The present location of Kapa'a Stream is sufficient to address impacts. Information on the ownership of Kapa'a Quarry Road is provided in the Draft EIS.
30. The interpretive center proposed at the Kawainui SPR, Kalāheo site would be used to provide some exhibit space for visitor education and information on the area. It could be operated by DSP staff, or a non-profit organization. However, this center could be changed to a simple covered pavilion (temporary shelter) if DSP determines it is not feasible to develop and operate as an interpretive center.
31. The Draft EIS includes a faunal study that addresses the project's effect on mammals and avifauna, which is sufficient to evaluate impacts.
32. The information requested on the existing restoration ponds is not required to address impacts from the project. The project does not include improvements or modifications to these ponds, and wetland restoration improvements for the Kahanaiki area is already entitled. Kahanaiki wetland restoration and upland reforestation improvements are discussed as part of the No Action Alternative in the Draft EIS.
33. The Draft EIS discusses the use of herbicide as part of wetland restoration activities.
34. The Draft EIS includes information on management programs and activities planned to manage and address visitors to this project site, which address your concern and opposition to visitors. Off-site educational programming can be conducted by schools and organizations on their own. The project includes supporting outdoor classroom educational programs within the project area to provide students and adults with more practicable, insightful, and beneficial learning experiences. Commercial tour buses are not allowed within the project site unless issued permits by DSP or DOFAW, and such commercial permits are not proposed under this project. It should be clarified that the Interpreting Kawainui-Hāmākua report prepared by community organizations was not adopted by the State DOFAW or DSP.
35. Pertinent information on fencing is provided in the Draft EIS.
36. No motorized vehicles are allowed on the pedestrian paths, except those vehicles and activities authorized by DOFAW, and shared use paths are not proposed under this project. Pedestrian and foot trails are not intended to support motorized vehicles, such as scooters or segways, or bicycles because they are intended only for pedestrian traffic. Certain sections of pedestrian trails would be designed to accommodate ADA mobility, such as a path from the parking lot to the education center. Enforcement of regulations and management of activities are discussed in the Draft EIS.
37. The Draft EIS discusses the projected number of canoe related activities at this site, and up to six six-man canoes would be permitted on a daily basis. The Kawainui SPR, Kalaheo site could accommodate far more canoes than is planned, but DSP plans to limit the number of canoes through issuance of permits. DSP would issue permits for schools and canoe clubs to launch into Kawainui Canal, and the Draft EIS discusses prior permits previously issued for such activities which would likely apply for future permits. These



permits can define the days and times of launching to address the concerns of the residents living along the canal.

38. DSP does not intend to issue permits to other organizations to allow other non-commercial watercraft would be to launch from this site. No commercial permits are planned under this project.
39. The Draft EIS discusses and explains the various wetland management areas and their objectives, but primary habitat does need to be defined or designated for areas.
40. The Draft EIS discusses visitors, their characteristics, and includes information on projected numbers. A definition of visitors is thus not required. Visitors would not be allowed within the wetland, and would be restricted to upland areas that are approved for public access and along pedestrian and foot trails. The Draft EIS discusses these areas intended for public access, and includes information on proposed management activities and enforcement of regulations.
41. Permanent cultural presence refers to allowing non-profit organizations to develop support facilities (cultural centers) within upland areas so that cultural practices along with other activities can be conducted on a permanent basis and be supported by adequate facilities.
42. Areas designated to support cultural practices would be constructed and operated by non-profit organizations selected through the State's open and competitive procurement process to be determined later when being implemented, such as a Request for Proposals solicitation. Areas proposed for cultural centers are discussed in the Draft EIS. Cultural centers would be restricted from general public access because they would be constructed and operated by non-profit organizations to conduct cultural practices, activities, educational programs, etc. Such restricted use generally supports your opposition to creating areas that are open to the public and visitors. Non-profit organizations would coordinate with DOFAW and DSP on educational programs, cultural programs, and community serving learning projects conducted that would allow participation by the community at these centers.
43. Non-profit organizations selected under the State's open and competitive procurement process would be responsible to construct cultural center improvements. The nature and duration of leases issued by the State would be determined as part of the procurement process. Please refer to response No. 42 addressing your comment about public access to these centers.
44. DOFAW and DSP would have management responsibility and oversight over all activities and uses within their jurisdictional areas. There would be no restrictions or limitations on DOFAW and DSP's ability to manage these areas. Structures constructed by non-profit organizations would be owned by that organization, and would be responsible for its maintenance.
45. The Draft EIS includes information on buildings proposed under this project, their intended use and activities, etc. This information provided is sufficient to address project effects.
46. The Draft EIS addresses LWCF areas that were acquired by the State, and includes a figure graphically identifying areas. It should be clarified that LWCF areas are already purchased and owned by the State, and this distinction is separate from "development projects." Project improvements are proposed within LWCF areas to meet the project's purpose and need. There is also no separate distinction of "LWCF development sites."

47. The Draft EIS addresses responsibilities for maintenance of area, which includes trash collection. Non-profit organizations would be responsible for the security of their developed cultural centers. Security and regulations enforcement are discussed in the Draft EIS.
48. The Draft EIS discusses parking lots proposed, and those open to the public would be closed at the end of the day either by DOFAW or the non-profit organization managing the parking lot. It would just take one staff person from the responsible entity to open and close parking lot gates.
49. Pedestrian trails and facilities proposed would not be monitored at night. The education center would only be open during the day. Non-profit organizations developing the cultural centers would be responsible for its security at night. DOFAW effectively removes homeless encampments within Kawainui, and appreciates support from the community in notifying them of such camps and issues. Project improvements include efforts to create partnerships with non-profit organizations to increase stewardship opportunities of areas and help monitor activities occurring. Reduced secluded areas makes it less likely that homeless camps can become established because of increased visibility and public awareness.
50. If any building lights are included with their design, these fixtures would be shielded to prevent attracting shearwaters. The Draft EIS discusses the project's effect on these birds and includes standard lighting design guidelines for facilities to minimize impacts.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners





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October 20, 2016

Mr. Ronald A. Sato, AICP, Senior Associate  
HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, HI 96813

Ms. Marigold Zoll, O'ahu Forestry and Wildlife Manager  
State of Hawaii  
Division of Forestry and Wildlife  
Department of Land and Natural Resources  
P.O. Box 621  
Honolulu, HI 96809

Aloha,

The Outdoor Circle (TOC) would like to respond to the EISPN for the Kawainui-Hamakua Master Plan Project.

There are many aspects of the master plan that are admirable, particularly in the areas of wetland restoration the use of the marsh by Hawaiians for traditional cultural practices and education and stewardship programs. These proposals should remain in the plan. TOC acknowledges and supports Hawaiian rights to traditional cultural practices, as protected by Hawaii's constitution.

TOC's primary criticism of the master plan is that it is biased in favor of development, including modern buildings, parking lots, causeways and other extensive construction that, when taken together, is too much development, would compromise the health of this irreplaceable public trust resource, and would usher in a new era of human-caused damage.

It is imperative that a full analysis be done to assess the extent of these foreseeable damaging consequences, including the unintended disturbances to endangered water birds, or historic artifacts, and the potential harmful effects on the marsh's key role in maintaining the health of the Kailua aquifer.

We, therefore, urge that the introduction of modern structures and parking lots be replaced with less invasive forms of use, urge that a complete hydrology and water quality study be done that includes the water sources in the the entire ahupuaa that feed the marsh, urge that a complete archeological study be done, especially in the perimeter buffer zone, and urge that a study be done to assess potential impacts of this development on the endangered water birds in the habitat.

## THE OUTDOOR CIRCLE'S RECOMMENDATIONS FOR INCLUSION IN THE EIS.

### 1. Cultural Practices and Modern Structures.

The EIS should disallow the construction of modern buildings for educational and cultural complexes, e.g., those including offices, classrooms, overnight accommodations and parking lots, and allow modern structures only for maintenance buildings.

- Kawainui-Hāmākua is not a typical park. It is a federally protected historic district, perhaps the earliest Hawaiian settlement in the islands. Any land disturbance could damage the historic record or uncover as yet unidentified artifacts, exposing them to theft and vandalism.

The marsh is a one-of-a-kind public trust resource that the DLNR is obligated to protect for the benefit of the resource and the people of Hawai'i.

- Kawainui-Hāmākua is not a typical wetland. It is an endangered water bird habitat, providing shelter and nesting sites to 4 of Hawai'i's endangered water bird species as well as a stopover haven for migratory birds. Wetlands world wide are being lost to the type of encroachment and development proposed in the draft Master Plan. We need to expand rather than diminish this habitat.
- Kawainui-Hāmākua is not a typical wetland flood plane with occasional stream bank overflow. It functions as a major flood control mechanism holding back water that has in the past flooded down slope neighborhoods during extreme storm events. The risk to life and property damage is real, and the U.S. Army Corps of Engineers has spent federal dollars raising the levee to its present height. Development and extensive trail use creates sediment that in time, would compromise the capacity of the marsh to buffer Kailua town from flooding.
- Kawainui-Hāmākua is an exceptional natural, historic and cultural resource, and its future is in our hands. The community has clearly voiced its opposition to the development of modern structures and parking lots within the plan's boundary. The consultants, under DLNR leadership, should modify the draft plan by removing non-maintenance buildings and parking lots from the plan.

## **2. Hydrology and Water Quality.**

The EIS should require an up-to-date study of the hydrology of the marsh including an explanation of the role of the Kailua and Kapa'a watersheds and the rates of water supplied by them that are necessary for the continuing existence of our wetlands. Engineers and developers have changed the hydrology of the marsh over the years. This hydrology study should include:

- Identification of all streams flowing into Kawainui from the Kailua and Kapa'a watersheds.
- Assessment of the present conditions of these streams.

A recommendation to update baseline studies on stream conditions for studies done prior to 2008. (Baseline studies would include an analysis of sediment loads, measurement and source of heavy metals; 50 year precipitation data, etc.).

- Assessment of the impact of the levee on the flow of water and its role in flood control.
- The history and location of water diversion devices, specifically the Maunawili Ditch and the amount of water it removes from the Kailua watershed to support Waimanalo agriculture.
- The history of the change in the flow of water (the building of Oneawa canal and the cutting off of the flow to Ka'elepulu Stream; the building of the levee and the U.S. Corps of Engineer Ponds), all of which altered the hydrology of the wetland.
- The history and location of "fill" placed within the Master Plan district, e.g., across from the Transfer station; at Kahanaiki etc.
- An estimate of the average amount of groundwater needed to be pumped in order to sustain the 11 U.S. Corps of Engineer Ponds.

The failure to include a recent assessment of watershed functions, and to identify water pumping activities and water diversions, creates an information gap in the Master Plan. It is only through an understanding of marsh hydrology that knowledge-based decisions can be made to assure its continuing health and productivity.

## **3. Historical and Archaeological Sites.**

The EIS should require that a complete Archeological study be done for the entire marsh, including the upslope and riparian areas. It is only with an updated archeological record that a proper assessment can be made as to the potential damage to artifacts due to proposed construction. The EIS should require the inclusion of strong protective measures and strategies to manage the public's access to archeological sites.

## **4. Endangered Wildlife Habitat.**

The EIS should require that a study be done to determine factors that may impact endangered water birds and aquatic species, such as loss of wetlands habitat, human proximity to nesting areas, effects of construction, and sound and noise pollution.



## **5. Continuing Consultation.**

The Outdoor Circle requests continuing consultation with all state and federal agencies with jurisdiction over the Kawainui-Hāmākua Marsh planning process.

The Outdoor Circle is concerned about the harm that could be done to the natural, cultural and historic resources if modern buildings, parking lots, causeways etc. are built in Kawainui-Hāmākua.

We wish to continue as a consulting party in the Master Plan process and look forward to further discussions with you, the Department of Land and Natural Resources (DLNR) and all those who work to protect this beloved and imperiled public trust resource.

Thank you for this opportunity to comment on the EISPN process for Kawainui-Hāmākua Master Plan Project.

Sincerely,

A handwritten signature in black ink, reading "Stephen Mechler". The signature is written in a cursive, flowing style.

Stephen Mechler  
President, The Outdoor Circle

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. Stephen Mechler, President  
The Outdoor Circle  
1314 South King Street, #306  
Honolulu, Hawai'i 96814

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 20, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPEN) for the subject project. Your organization has been added as a consulted party, and will receive a copy (CD) of the Draft EIS when published for review.

Wetland restoration, upland reforestation, and providing opportunities for non-profit organizations to establish cultural centers so that cultural practices and educational programs can occur are objectives of this project that is reflected in the proposed improvements. These improvements also support opportunities for stewardship of areas in partnership with non-profit organizations and conducting various educational programs and activities. We appreciate your organization's understanding of these objectives and support for conducting cultural practices within Kawainui and Hāmākua.

We don't believe the project is biased in favor of "development" as you indicate, particularly if you support the right to conduct cultural practices and educational programs within the project area. The amount of improvements proposed within upland areas are appropriate for the area, support activities planned, and would not compromise the health of this resource. It should be clarified that the ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a very degraded resource that needs wetland restoration and upland reforestation to address the expansive invasive vegetation overtaking it. The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua.

The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and regulatory requirements for public access and outdoor recreational opportunities. Ramsar supports sustainable tourism, recreational use, and cultural practices within designated wetlands.



Ramsar views sustainable tourism as maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (pedestrian trails, education center, etc.) supporting these aspects of sustainable tourism recognized under Ramsar.

Regarding your perception of development, it should also be clarified that causeways are a form of drainage improvements to mitigate stormwater runoff, allow runoff to infiltrate, and decrease sediment discharges into the wetland. We don't view "modern" buildings as being detrimental to the environment. Such buildings would include tool sheds, plant nurseries, restrooms, and parking shelters to support restoration work, public access, educational programs, and cultural practices. We believe the more important consideration of proposed structures is their purpose and the type of activities they would be supporting.

DOFAW's management station would have a few permanent buildings to replace their temporary storage containers, and appropriately designed buildings are necessary to support their management activities. The kauhale complex at Pōhakea is proposed to consist of traditional Hawaiian thatch structures constructed by a non-profit organization. The education center would support public access and manage visitors to the area, and would be appropriately designed to meet this need, program activities, etc. Cultural centers would be designed and constructed by non-profit organizations to meet their program needs, cultural practices, and other activities. These buildings are intended to be compatible with the area. The Draft EIS addresses establishing building and landscape design guidelines for Kawainui so that structures can have a more unifying vision and generally consistent themes. Such guidelines can ensure a level of consistent themes, while providing flexibility for different and unique design concepts.

Parking lots are needed to support public access so that educational programs, cultural practices, etc. can be conducted. Your support for such programs is appreciated, however, improvements are necessary to support these activities. Most of your concerns and opposition to project components perceived as development are intended to discourage visitors or make it more difficult for persons to visit Kawainui. We understand the concerns you have with the level of visitors to Kailua, and your opposition to changes that may attract more visitors to Kailua. Unfortunately, such suggestions against improvements do not support the purpose for the project, the State's missions, the need to provide reasonable public access for all, nor do they support Ramsar objectives. The interests of the entire State of Hawai'i need to be considered because Kawainui is a state resource of international importance for the entire public to enjoy.

The Draft EIS addresses the project's effect on the environment, which includes waterbirds, historic sites, hydrology, and water quality. The Draft EIS includes background information on the watersheds serving Kawainui and Hāmākua so that impacts attributed to the project can be addressed. This includes streamflow information associated with Maunawili and Kahanaiki Streams that flow into Kawainui.

#### Cultural Practices and Structures

1. As previously discussed, buildings and structures proposed are intended to serve various programs and activities planned. If you support education and cultural practices, then support facilities are necessary, which includes buildings, restrooms, etc. Design guidelines



- developed can ensure a more unifying vision and generally consistent themes, while providing flexibility for different and unique design concepts.
2. Kawainui-Hāmākua is not a federally protected historic district. The Draft EIS discusses the results of an archaeological study identifying historic sites and proposed measures to minimize and mitigate potential effects.  
The project's conceptual plans fully support the Public Trust Doctrine of the Hawai'i State Constitution, by conserving and protecting this natural resource for the benefit of present and future generations. Public benefits would further be achieved by providing managed public access to allow for the enjoyment of this resource by all. Plans are also intended to promote the utilization of this resource in a sustainable and managed manner by providing public access and opportunities for educational programs and stewardship consistent with the conservation and development of resources under the Constitution. It also supports traditional and customary rights of native Hawaiian's for cultural purposes under Article XII of the State Constitution.
  3. Kawainui-Hāmākua is one of several wetlands on O'ahu and within the state that support and provide habitat for endangered waterbirds. The project includes various wetland restoration and reforestation improvements supporting habitat enhancement for endangered waterbirds. Other improvements (e.g. pedestrian trails, cultural centers) would occur within upland areas outside of the wetland being restored, and are not encroaching into the wetland.
  4. Wetland restoration and upland reforestation would improve Kawainui's wetland's function as flood control protection for low lying areas. Other improvements (e.g. trails) would not compromise the capacity of Kawainui's wetland to serve in this flood control capacity. The Draft EIS discusses the project's effect on flood control associated with Kawainui.
  5. We don't agree that the opinion of the vast majority of the community is opposed or differs from what is presently proposed for this project. There has been a wide range of input from the community on both spectrums associated with public access, cultural practices, and support facilities. Community meetings conducted helped provide input on both sides for both DOFAW and DSP to consider. Public input represents one element of this process along with other factors needing to be considered such as regulatory requirements, project needs, assessment of existing conditions, etc. In addition, the interests of the entire State of Hawai'i needs to consider because Kawainui is a state-owned resource of international importance for the entire public.

### Hydrology and Water Quality

The Draft EIS discusses the project area's hydrology, including a description of the streams flowing into Kawainui and Hāmākua. A new hydrological study of the Kailua and Kapa'a watersheds is not necessary because there are other existing studies that have studied these watersheds, and information from these studies have been incorporated in the Draft EIS. Information discussed in the Draft EIS on hydrology is sufficient to address the likely project impacts, and provides DOFAW and DSP with pertinent information to reasonably evaluate the project and identify necessary mitigative measures, if warranted.



1. The Draft EIS identifies streams flowing into the Kawainui and Hāmākua project area.
2. Information on the condition of these streams within the project area is provided. A water quality study was conducted that includes data on water quality that is sufficient evaluate existing conditions and project effects.
3. An assessment of the levee on water flow and flood control is not pertinent to this project because proposed improvements are not changing the levee. The U.S. Department of Army, Corps of Engineers (USACE) prepared environmental documents that addresses the levee's effect prior to its construction and the more recent improvement to raise it.
4. The Draft EIS includes information on the condition of the main streams flowing into both Kawainui and Hāmākua's wetlands, however, information on water diversion devices located outside of the project area is not necessary. The information in the Draft EIS is sufficient to address the project's effect on those streams, and project improvements do not affect the amount of stream water flowing into the project area. Furthermore, DOFAW and DSP do not have jurisdiction or control over the flow of stream water for areas outside of this project area. The purpose for this project is not to change the flow of water from those outside areas, and project improvements do not include those areas. The Commission on Water Resources Management is the more appropriate agency to address your comments regarding those water diversions.
5. Please refer to responses No. 3 and 4 above to address this.
6. Information on the history and location of fill material that are within the upland areas of Kawainui along Kapa'a Quarry Road is not readily available, and is not necessary to address project impacts. The Draft EIS includes information on soil conditions and area topography. These upland areas within the project site are existing conditions that have existed for several decades, and are documented in the Draft EIS.
7. Information on groundwater needed to serve the existing restoration ponds were discussed in an Environmental Assessment prepared by the USACE, which you can refer to in obtaining information. Water from natural rain events was also intended to be one source for maintaining water levels within the restoration ponds. The project does not affect groundwater that is pumped to service these existing ponds, and the project's purpose and need do not involve changing these ponds.

The Draft EIS includes sufficient information on the watershed area, hydrology, water quality, etc. to reasonably assess impacts from proposed improvements. Information includes new studies conducted and the results from other studies which provide a reasonable and adequate understanding of the watershed and project area.

#### Historic and Archaeological Sites

The Draft EIS includes an archaeological study that identifies existing historic sites, discusses prior studies conducted of the project area, and addresses the project's effect. Information from this study is sufficient to assess the project's likely effect on historic sites, and mitigative measures are identified where applicable. DOFAW and DSP has and would continue consulting with the State Historic Preservation Division on management and operational activities to ensure historic sites are not impacted because of the sensitivity understood with this area.

Endangered Wildlife Habitat

The Draft EIS includes information and studies addressing the project's effect on avifauna and mammals along with aquatic resources. The project would not result in the loss of wetland habitat. Where appropriate, mitigative measures and other management practices proposed to manage visitors are identified.

Continuing Consultation

Consultation with federal, state, and city agencies with regulatory jurisdiction of the project area has been occurring, and would continue throughout this environmental review process.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



# Aloha 'Aina Health Center, Inc.

October 28, 2016

HHF Planners

733 Bishop Street, Suite 2590 Honolulu, Hawaii 96813

Ronald A. Sato, Senior Associate

Aloha Mr. Ronald Sato,

As a board director of Aloha 'Aina Health Center (AAHC) and on behalf of its president Mark Paikuli Stride, this Agri-culture farming and health organization supports conducting an Environmental Impact Study and the Kawainui-Hamakua Marsh Complex Plan in its entirety because of the invaluable educational, recreational, cultural, and environmental benefits. For many years the AAHC and the Luluku Farmers Association (LFA) have been restoring and growing taro and other Hawaiian food crops and medicinal plants in the upper part of Maunawili Valley and also on private farm lands in the Luluku, Kaneohe area bordering Ho'omaluhia Botanical Gardens. In addition AAHC and the LFA will be having a Memorandum of Agreement with the Office of Hawaiian Affairs (OHA) and the Department of Transportation (DOT) to become the Agri-cultural Steward of eight acres of ancient Hawaiian lo'i kalo terraces under the H3 highway in Kaneohe.

For the past several years the AAHC have supported and worked with the Hawaiian organizations – 'Ahahui Malama I Ka Lokahi and the Kailua Hawaiian Civic Club to restore the growing of taro at Ulupo Heiau. AAHC would like to continue this cultural food growing relationship with the Hawaiian organizations when the propose Hawaiian Cultural and Educational Centers on the Kawainui-Hamakua Complex Master Plan are implemented.

We also support the Kawainui-Hamakua complex Master Plan for the following reasons:

- \*The plan would accomplish restoration of the wetland ponds, thus opening up areas for endangered birds, fish, and estuary organisms.

- \*The master plan would enhance educational access and quality by providing education facilities, trails, and viewing platforms for hands-on learning experiences.

- \*The marsh plan recognizes that the Hawaiian presence, along with native Hawaiian cultural/educational centers at the marsh, is the key to its restoration and preservation, the continuation of educational and stewardship programs, and preservation of cultural sites there.

The plan confirms, not denigrates, this wetland and will restore it to some of its ancient preeminence. It has survived all the centuries of use, neglect and abuse, but still functions as a living organism, waiting to be restored to fuller utilization. It deserves to be shared, not fenced off, or relegated to secondary status. It deserves the respect and restorative efforts that the Kawainui-Hamakua Marsh Complex Plan provides and sanctions.

Four important things the Master plan fails to address are:

1. A policy for food sustainability and the potential to grow native foods in and around the marshes and
2. Establishment of minimum stream flows required to maintain the health of the marsh and its tributary streams as required by § 174C-71 protection of in stream uses.
3. US Army Corps of Engineers and DOFAW need to construct an underground conduit passage for the flow of water from Kawainui into the Hamakua Canal to re-establish managed water flow, and improves the water circulation and health of Kaelepulu Stream.
4. A greater emphasis at the Kalaheo-Oneawa site formerly the Kawainui Gateway Park for school groups to conduct estuary science and cultural studies in relationship to the Kaha Park Xeriscape native plant garden. There should be a pavilion, restrooms and parking area for school busses as was proposed on the 2002 Kawainui Pathway Plan.

Please add to Kawainui-Hamakua Complex Master Plan of Agencies and Organizations to be consulted the names of the Aloha Aina Health Center and the Luluku Farmers Association.

Mahalo,

Charles K. Burrows, Ed.D.

Aloha 'Aina Health Center, Board of Director.

<chuckkb@gmail.com>



DAVID Y. IGE  
GOVERNOR OF HAWAII



SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
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AQUATIC RESOURCES  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
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**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

NOV 24 2017

Dr. Charles K. Burrows, Board of Director  
Aloha 'Aina Health Center, Inc.

chuckkb@gmail.com

Dear Dr. Burrows:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 28, 2016 sent via email providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project on behalf of yourself (Board Director) and the President of the Aloha 'Aina Health Center, Inc. Your organization and the Luluku Farmers Association have been added as consulted parties, and will receive a copy (CD) of the Draft EIS when published for review.

We appreciate your organization's support of the conceptual plans proposed for the Kawainui-Hāmākua Master Plan project, and the Draft EIS will document the probable impacts associated with this project. We appreciate the information shared on your organization's efforts and activities in Windward O'ahu, along with your cooperative efforts with other non-profit organizations on growing taro as part of cultural practices.

We concur that the project's proposed improvements would support restoring the ecological character of Kawainui and Hāmākua through wetland restoration and upland reforestation. Other improvements would support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), regulatory requirements for public access and outdoor recreational opportunities, and increase educational programs and stewardship opportunities. The plan recognizes Kawainui's importance to native Hawaiian culture, and provides non-profit organizations with an opportunity to establish a permanent presence to conduct cultural practices, educational programs, and participate in the stewardship of this resource and cultural sites. We concur that this resource of State importance should be shared with the public to facilitate education, cultural practices, and outdoor recreation.



We have the following numbered responses to your comments on the master plan.

1. DOFAW supports food security, food-forests and agroforestry. The Division has planted ulu and banana trees at Kawainui, and are open to other agroforestry efforts. Currently, lo'i kalo and other traditional crops are grown around Nā Pōhaku, Pōhakea, and Ulupō Heiau as a component of educational and cultural practices. The project's conceptual plans would support continuation of these activities, and also allow for such activities to be conducted at the cultural center planned at Kapa'a. However, larger scale agriculture or aquaculture production as part of food sustainability for the community or public needs to be balanced with the need to protect and manage native wildlife species. Food production activities would be encouraged where appropriate, but will be limited in scope due to relatively limited land area and the need to manage native species as part of the mix. Activities considered commercial agricultural production that would conflict with native species' habitat restoration would not be compatible. Kawainui's wetlands are flood-prone, and intended to serve as habitat for endangered waterbirds as part of the State's wildlife sanctuary, both of which would conflict with larger scale agricultural production and activities.
2. The establishment of minimum stream flows to protect the public interest in State waters, as discussed in § 174C-71, Hawai'i Revised Statutes, aligns with DOFAW's mission to protect watersheds and native ecosystems, which include Kawainui's streams and tributaries. The establishment of permanent standards is determined on a stream-by-stream basis by the Commission on Water Resource Management (CWRM). The project does not need establishment of these standards as a means of achieving its agency mission or project objectives. Wetland restoration efforts to remove the invasive growth of vegetation is more pertinent to restoring the health of this resource, and to support its function for flood control. Restoration improvements are proposed to achieve these goals. The project does not include any diversions of water that could impact stream flow.
3. The permanent water flow restoration between Kawainui's wetland and Kawainui Stream (also known as Hāmākua Canal) traveling towards Hāmākua will not be included as part of this project. We understand that a 2015 planning study explored the possibility of restoring partial water flow from Kawainui's wetland into Kawainui Stream. DOFAW would be evaluating the results of this experiment and other possible implications to their wetland restoration efforts to determine if they would want to alter this water flow change in the future. Such a project would need to be coordinated with other government agencies, and appropriate environmental studies and permitting would be pursued at that time.
4. Improvements proposed for the Kawainui State Park Reserve, Kalāheo site include a pavilion, restrooms and parking. It would also include a hale wa'a constructed and maintained by a non-profit organization that includes space (lanai, meeting room) envisioned to support cultural and educational programs related to the sport of canoeing and ecology. The Draft EIS discusses this site in more detail which includes the type of educational and cultural programs that can be conducted there.



Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planner

B. A. Alexander  
851A Mokulua Drive  
Kailua, HI 96734  
808-744-8547  
e-mail: babs@ladybuglan.com

23 October, 2016

CONSULTANT: HHF Planners  
ADDRESS: 733 Bishop Street, Suite 2590  
Honolulu, Hawai'i 96813  
CONTACT: Ronald A. Sato, AICP, Senior Associate  
Email: rsato@hhf.com  
PHONE: (808) 457-3172  
**WITH A COPY SENT TO:**  
AGENCY: State of Hawai'i  
Division of Forestry and Wildlife  
Department of Land and Natural Resources  
ADDRESS: P.O. Box 621  
Honolulu, Hawai'i 96809  
CONTACT: Ms. Marigold Zoll, O'ahu Forestry and Wildlife Manager  
Email: Marigold.S.Zoll@hawaii.gov  
PHONE: (808) 973-9787

RE: Kawainui-Hamakua Master Plan Project EISPN

Dear Mr. Sato and Ms. Zoll,

I wish to be a consulted party and have the following comments:

Inasmuch as the DLNR does not seem to have adequate funding to maintain a staff to meet its stated mission:

**DLNR Mission Statement**

"Enhance, protect, conserve and manage Hawaii's unique and limited natural, cultural and historic resources held in public trust for current and future generations of the people of Hawaii nei, and its visitors, in partnership with others from the public and private sectors."

1. Restoration, reforestation and stewardship ought to be the #1 priority. Sufficient funding ought to be obtained/budgeted to achieve this. I question the planning of structures, boardwalks, etc. when the Marsh has yet to be cleared of all invasive plant materials.
2. I recognize the cultural significance of this area.
3. What monies will be available to provide access for 'outdoor recreation and educational opportunities'? How do we insure that educational



opportunities are not overwhelmed by this area being added to the tourism companies' "must see" list? I believe the LWCF § 6 requirement to maintain public outdoor recreational use in direct conflict with the objective of promoting environmental preservation and stewardship. This document states that part(s) of the project area was purchased (?) with LWCF grant(s). And yet it seems that this requirement is being applied to the entire project area. Why?

4. The State of Hawaii and the C&C of Honolulu have demonstrated over the years that preservation of the land is not their highest priority. The continued myopic view that we must have tourism to generate revenue is destroying the very land that DLNR is tasked with protecting. Will the State look to tourism dollars generated from these sites to then develop the sites as envisioned in this Master Plan?
5. There is access today for educational opportunities. I do not support increasing access, as it will negatively impact the land/marsh areas.
6. I do not support any plan that allows storage of school (or other organizations) canoes within the area.
7. Would the proposed parking lots, other than those for the cultural practices areas, be designed to accommodate buses other than school buses i.e.; those large tour buses we see so much of in Kailua Town? Would those large tour buses be specifically excluded from the parking lots? The statements included are confusing. I would have thought "stalls" meant those for autos/small trucks or vans. And yet, it mentions that school buses would be accommodated. How?
8. I find Section 3.2.2 Hurricane Hazards to be somewhat wishful thinking on the part of those analyzing it, to wit:  
"Should a hurricane make landfall on O'ahu, it is anticipated that sufficient warning would be available and that any visitors to the area would be cleared and directed to a safe location..."  
This is another reason to limit the number of visitors to the areas adjacent to the Marsh.
9. Section 3.3.1 Groundwater Hydrology, Potential Project Impact includes the statement:  
"Proposed master plan improvements should have minimal effect on the underlying aquifer. Improvements consist predominantly of wetland restoration and reforestation. Proposed structures are small scale with low intensity use..."  
There are numerous restrooms planned, several nursery areas, and a possible caretaker's structure. I do not think that when taken cumulatively all those are 'small scale with low intensity use'. Just ask folks about the restrooms at the C&C Parks on this island.
10. Section 4.3 Employment and Household Income, Potential Project Impact states, in part:  
"The project will generate some short-term construction related jobs, and possibly a few full-time jobs as part of DOFAW and DSP management of Kawainui-Hāmākua..."

I have added the highlighting. So exactly who, other than some non-profits working mainly with volunteers, will be managing, providing security and maintaining all these proposed structures/improvements?

11. Section 4.4 Character of the Community, Existing Conditions, characterizes Kailua as a large, established residential community. It ought to be noted, and obvious to anyone spending any time within Kailua, that it has been transformed into a tourist destination. I cannot over stress the (negative) impact that this has had on certain neighborhoods within Kailua and to those conducting business in Kailua Town.

While improvements to the project area, if managed properly, might be beneficial, other than the restoration work on the Marsh and reforestation of its adjacent lands and the Pu'uoeahu hillside and the cultural practices sites, the project improvements/development would add another item on the list of tour companies' 'Things to see in Kailua'.

I would, therefore, urge that the impact of visitors to the areas adjacent to the Marsh be taken into account and their numbers be severely limited.

My final comment is that I believe we ought to focus on the restoration of the Marsh and reforestation projects i.e.; resource management activities with limited cultural practice areas. I suggest extensive interpretive signage instead of an educational center. This is yet another variation on the §2.3 Alternatives Considered.

Let's truly conserve and protect this unique part of Hawaii's natural resources.

Mahalo.

Yours truly,

B. A. Alexander





**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Barbara A. Alexander  
851 Mokuloa Drive  
Kailua, Hawai'i 96734  
babs@ladybuglan.com

Dear Ms. Alexander:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 23, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. You have been added as a consulted party, and will receive a copy (CD) of the Draft EIS when published for review. We offer the following responses that are numbered to correspond to your numbered comments.

1. Wetland restoration, upland reforestation and increasing stewardship opportunities with non-profit organizations are high priorities for this project. We concur that sufficient funding should be appropriated to help accomplish these priorities. However, securing adequate funding to meet our agency missions is an ongoing challenge and depends on support from the State Legislature. Public access is another important priority and regulatory requirement, thus, the project includes improvements supporting this in a managed way. Removing invasive plant species would be a continual ongoing management process at Kawainui, thus other improvements supporting cultural practices, public access, etc. can be implemented independently from this.
2. We appreciate your recognition of the cultural significance associated with the Kawainui-Hāmākua project site.
3. Future funding of improvements supporting passive outdoor recreation and educational opportunities would be determined by the Legislature. The Draft EIS does include information on estimated costs for improvements and a phasing plan. Commercial tours are not allowed at Kawainui unless the State DLNR, Division of State Parks (DSP) issues permits authorizing this. DSP does not plan on issuing commercial permits under this project. Management practices discussed in the Draft EIS are proposed to address monitoring and enforcement of these regulations. The Land and Water Conservation Fund (LWCF) Section 6(f) requirement is not in



- 
- conflict with environmental and stewardship objectives because public access improvements support educational programs and stewardship activities, all of which support environmental awareness and restoration of this area. The Draft EIS includes information addressing areas subject to LWCF requirements, and the vast majority of improvements supporting public access are present within these upland areas.
4. We would like to clarify that the ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua. The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and DSP, and federal requirements under LWCF for public access and outdoor recreational opportunities. Revenue generated from visitors to Kawainui would be associated with the education center, and used to support either DSP or the non-profit organization's operation of this facility and implementation of educational and cultural programs. Other revenue could be used to support further restoration activities. Funding for improvements would need to be appropriated by the Legislature, of which such revenue comes from many sources. Areas designated as cultural centers to support cultural practices would be constructed and operated by the non-profit organizations selected through the State's procurement process.
  5. There is now only limited public access for educational opportunities. This situation does not meet the growing interest by local schools, organizations, etc. for participating in educational programs. Improvements are needed to support this. For example, currently there are no areas for bus loading and unloading, no restrooms for students to use, no shaded rest areas or pavilions to gather, and no storage for tools and equipment. Improvements supporting this would be sited within upland areas outside of the wetland. The Draft EIS includes more discussion of impacts these facilities and improvements would have on the environment.
  6. Your objection to the storage of canoes at the Kawainui State Park Reserve (SPR), Kalāheo Section site is noted. Schools, canoe clubs, and other non-profit organizations are interested in this to support the sport of canoeing and to integrate this into additional educational programs related to the sport.
  7. Commercial tour buses would not be allowed to use the parking lots, unless they are issued a permit by DSP or DOFAW, and such permits are not proposed under this project. The only parking areas open to the public that could be used by commercial buses are at the education center at Pōhakea, Kahanaiki parking area, and at the Kawainui SPR Kalāheo site. Buses would be allowed at the education center parking lot after coordinating with the center staff, and areas would be provided to accommodate a bus. The other two parking areas would not have pull-off areas for bus parking, therefore, schools would need to coordinate with DOFAW or DSP in the scheduling of educational programs.
  8. Given the advancement in technology and early warning systems, there would be sufficient warning of an impending hurricane to close the project area. Parking areas could be gated and closed in advance to minimize effects.



9. The project would have minimal effect on groundwater hydrology, and the Draft EIS addresses these effects in more detail. The amount of projected wastewater flows from facilities planned is relatively low. Most restrooms at City parks are connected to their sewer system and would not affect groundwater hydrology.
10. An increase in DOFAW maintenance staff is planned with the project, and additional State DLNR, Division of Conservation and Resources Enforcement are projected to support enforcement and security. Non-profit organizations constructing and operating the cultural centers would be responsible for maintain and providing security for their facilities. The Draft EIS discusses these additional staffing in more detail.
11. We understand the concerns and general opposition you have with the level of visitors to Kailua, and changes that may attract more visitors to Kailua. The Draft EIS discusses the background associated with this issue, which is attributable to several items. Kailua's changing commercial town is attracting visitors due to available boutique shops, restaurants, etc. However, Kailua's renowned beaches and ocean recreational activities available continue to be the main attractions for both visitors along with island residents to this area. The Draft EIS discusses this issue and likely effects additional visitors may have on Kailua.

Regarding your final comment, wetland restoration, upland reforestation and increasing stewardship opportunities with non-profit organizations are high priorities for this project. However, improving public access is another priority for this project, meets agency mission objectives, supports Ramsar objectives, and is a regulatory requirement. The Draft EIS discusses various management practices that would be implemented to effectively manage visitors to Kawainui. Interpretive signage is already planned within upland areas to provide educational information for visitors. However, additional efforts are needed besides just signage to manage visitors. The education center is planned to support these efforts by providing a managed entrance, providing oversight of the area and activities occurring, etc. in partnership with DOFAW and DSP similar to what is provided at most other national parks.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

## Ronald Sato

---

**From:** kailua5@aol.com  
**Sent:** Monday, October 24, 2016 8:10 AM  
**To:** Ronald Sato  
**Cc:** marigold.s.zoll@hawaii.gov  
**Subject:** Kawainui-Hamakua Marsh Plan EIS Prep notice comments

Aloha Mr. Sato,

In response to the EIS Public Notice issuance, I would like you to know that I continue to support the Kawainui-Hamakua Marsh Complex Master Plan and fully support conducting an Environmental Impact Study of the area.

Support for this plan is essential because it provides for the restoration of the Kawainui-Hamakua wetlands and the bird and aquatic life there, it enhances educational access and hands-on learning experiences, and recognizes that the native Hawaiian presence is essential to restoration, maintenance and preservation of Kawainui-Hamakua. It cannot happen soon enough, as this wetland continues to degrade and approaches swamp-like conditions, and educational/cultural opportunities are compromised.

I would like to commend HHF planners for their work in creating this excellent, well thought out, meaningful plan. I do object to some of the modifications made since publication of the Draft Kawainui-Hamakua Complex Master Plan in May 2014.

In particular, please reconsider the removal of a proposed restroom at Ulupo Heiau. This is essential for carrying out stewardship activities at this site. The options proposed by opposing groups are not feasible, or acceptable, and I don't understand why the people restoring and stewarding this area are not going to be provided the dignity of a restroom facility. LKOC Talking Points, suggested stewards at Ulupo use the bathroom at the Methodist Church. This is not only trespassing, it is illegal because there are a number of schools in these churches bordering the heiau. School regulations forbid strangers not on school business from wandering onto their grounds and into their restrooms. This is not a reasonable solution, or even legal. I ask you to please reconsider and reinstate this element of the plan. The removal of an indisputable humane necessity is cruel and unnecessary. The work being done at this heiau is too important to not be supported by bathroom facilities and tool sheds there.

There are upwards of 80 stewards at Ulupo on workdays there, and students and stewards are often there during the week. For native Hawaiian cultural practitioners and many native Hawaiians who care for the area of Ulupo Heiau, I think it could be considered the equivalent of a church to them. It is a place where they celebrate their culture, honor their ancestors, and tend to an area they consider sacred. The logic of denying a bathroom facility for them escapes me. There are bathrooms in all the churches along church row bordering the marsh and it would be considered absurd not to have bathrooms at these places of worship.

The removal of the pedestrian path planned on the Kalaheo side of Kawainui Marsh is puzzling. This is the one element many people in the general community have told me they really want—the trails and boardwalks circling the marsh. Many have also told me they would like a safe bike path along Kapaa Quarry Rd. in order to reach the marsh trailheads by bike. It is important to connect the four points of the marsh that link Hawaiian cultural and education sites and eliminating this and the pedestrian bridge across Kawainui Canal damages this concept.

In addition, restroom facilities and showers are needed at the Voyaging Center/Canoe Halau for paddlers. Students should have enough parking and a bathroom, and parents and kids at the Kaha Field soccer field need bathrooms, too. Supporting and valuing outdoor recreation, education, kids, and native culture in this community, along with conservation/stewardship and restoration and preservation of natural resources needs to be a priority.

Chipping away at this plan devalues it because every element was so carefully planned to achieve restoration and preservation of this wetland and the native culture there.

Thank you very much for considering my comments.



With aloha,

Beth Anderson  
Kailua

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**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

NOV 24 2017

Ms. Beth Anderson  
[Kailua5@aol.com](mailto:Kailua5@aol.com)

Dear Ms. Anderson:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email dated October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. We appreciate your support for this project.

We appreciate you understanding that the ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua. The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), federal requirements for public access and outdoor recreational opportunities, and support educational and cultural programs and activities.

We note your concern with the removal of the restroom at Ulupō Heiau. DOFAW and DSP agree that restrooms are important for supporting stewardship activities at Ulupō, and we concur that the suggestion that people use facilities at nearby churches is unreasonable and not practicable for the reasons you noted. We agree that the many stewards supporting cultural restoration efforts at Ulupō Heiau should have a bathroom facility.

Unfortunately, the area planned for bathroom improvements under the Draft Master Plan (June 2014) is privately-owned by the Windward YMCA. The project being studied in the EISPN only includes State-owned property associated with Kawainui and Hāmākua. It is inappropriate for this project to propose and study improvements for other privately-owned property because those owners have the right to determine their own future use. If DSP acquires some area within this Windward YMCA property in the future, DSP would develop separate plans along with conducting an environmental review. Such plans could then include restroom facilities for Ulupō Heiau.



DOFAW and DSP support the concept of a continuous trail circling Kawainui as was included in the Draft Master Plan. However, the pedestrian trail along the Kalāheo side of Kawainui was not included as part of the project in the EISPN document at this time because only improvements that are reasonably planned to be implemented within the 20-year study timeframe have been included. That section of the trail would be phased for implementation after trails along the southern section of Kawainui and Kapa'a Quarry Road have been completed, which is anticipated to be beyond 20 years, and given consideration of Legislative funding requirements.

We also need to clarify that the pedestrian trails would not allow bicyclists. These pedestrian and foot trails would be designed to accommodate pedestrian use. To accommodate bicyclists, a multi-purpose path would instead need to be designed that requires different typical design standards to ensure safety and separation for multiple users. The pedestrian bridge across Kawainui Canal is also not included in the project being studied because implementation of that by DSP would be beyond 20 years. The permitting, design, and construction for such a bridge would be costly, and DSP's phasing for improvements is focused on other priorities, given Legislative funding availability.

The Kawainui State Park Reserve, Kalāheo Section (park site) is planned to include restroom and shower facilities, as well as a hale wa'a canoe storage facility and canoe launch. Unfortunately, Kaha Park is a City facility, and any improvements there would need to be programmed by the City.

Despite some recent modifications to the project, there are still many improvements proposed to support wetland restoration, upland reforestation, passive outdoor recreation, educational opportunities, cultural practices, and stewardship opportunities.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



fr

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planner

## Ronald Sato

---

**From:** kailua5@aol.com  
**Sent:** Sunday, October 23, 2016 2:20 PM  
**To:** Ronald Sato  
**Cc:** Marigold.S.Zoll@hawaii.gov  
**Subject:** support letter for prep of Draft EIS

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Mr. Sato,

I support conducting an Environmental Impact Study and support the Kawainui-Hamakua Marsh Complex Plan in its entirety because of the following invaluable educational, recreational, cultural, and environmental gains:

\*The plan would accomplish restoration of the wetland ponds, thus opening up areas for endangered birds, fish, and estuary organisms.

\*The master plan would enhance educational access and quality by providing education facilities, trails, and viewing platforms for hands-on learning experiences.

\*The marsh plan recognizes that the Hawaiian presence, along with native Hawaiian cultural/educational centers at the marsh, is the key to its restoration and preservation, the continuation of educational and stewardship programs, and preservation of cultural sites there. The plan confirms, not denigrates, this wetland and will restore it to some of its ancient preeminence. It has survived all the centuries of use, neglect and abuse, but still functions as a living organism, waiting to be restored to fuller utilization. It deserves to be shared, not fenced off, or relegated to secondary status. It deserves the respect and restorative efforts that the Kawainui-Hamakua Marsh Complex Plan provides and sanctions.

Three important things the Master plan fails to address are:

1. Food sustainability and the potential to grow native foods in and around the marshes and
2. Establishment of minimum stream flows required to maintain the health of the marsh and its tributary streams as required by § 174C-71 protection of instream uses.
3. US Army Corps of Engineers and DOFAW need to construct an underground conduit passage for the flow of water from Kawainui into the Hamakua Canal to re-establish managed water flow, and improve the water circulation and health of Kaelepulu Stream.

We are:

Ahahui Malama I ka Lokahi  
Conservation Council for Hawaii  
Halau Mohala Ilima  
Hika'alani  
Hui Kailua-Kawainui Ka Wai Ola



Kailua Hawaiian Civic Club  
Kailua Historical Society  
Pacific American Foundation  
Beth Anderson, Board member, Hui Kailua Kawainui Ka Wai Ola

\*\*\*\*\*

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DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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‘Ahahui Mālama I ka Lōkahi  
Conservation Council for Hawai‘i  
Hālau Mōhala ‘Ilima  
Hika‘alani  
Hui Kailua-Kawainui Ka Wai Ola  
Kailua Hawaiian Civic Club  
Kailua Historical Society  
Pacific American Foundation

c/o Beth Anderson, Board Member, Hui Kailua Kawainui Ka Wai Ola  
[kailua5@aol.com](mailto:kailua5@aol.com)

Dear Ms. Anderson and Associates:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email dated October 23, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPEN) for the subject project. We note the email reflects the comments by the several organizations listed.

We concur that the project's proposed improvements would support restoring the ecological character of Kawainui and Hāmākua through wetland restoration and upland reforestation. Other improvements would support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), regulatory requirements for public access and outdoor recreational opportunities, and increase educational programs and stewardship opportunities. The plan recognizes Kawainui's importance to native Hawaiian culture, and provides non-profit organizations with an opportunity to establish a permanent presence to conduct cultural practices, educational programs, and participate in the stewardship of this resource and cultural sites. We concur that this resource of State importance should be shared with the public to facilitate education, cultural practices, and outdoor recreation.

We have the following numbered responses to your comments on the master plan.

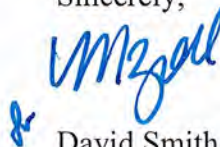
1. DOFAW supports food security, food-forests and agroforestry. The Division has planted ulu and banana trees at Kawainui, and are open to other agroforestry efforts.



- Currently, lo'i kalo and other traditional crops are grown around Nā Pōhaku, Pōhakea, and Ulupō Heiau as a component of educational and cultural practices. The project's conceptual plans would support continuation of these activities, and also allow for such activities to be conducted at the cultural center planned at Kapa'a. However, larger scale agriculture or aquaculture production as part of food sustainability for the community or public needs to be balanced with the need to protect and manage native wildlife species. Food production activities would be encouraged where appropriate, but will be limited in scope due to relatively limited land area and the need to manage native species as part of the mix. Activities considered commercial agricultural production that would conflict with native species' habitat restoration would not be compatible. Kawainui's wetlands are flood-prone, and intended to serve as habitat for endangered waterbirds as part of the State's wildlife sanctuary, both of which would conflict with larger scale agricultural production and activities.
2. The establishment of minimum stream flows to protect the public interest in State waters, as discussed in § 174C-71, Hawai'i Revised Statutes, aligns with DOFAW's mission to protect watersheds and native ecosystems, which include Kawainui's streams and tributaries. The establishment of permanent standards is determined on a stream-by-stream basis by the Commission on Water Resource Management (CWRM). The project does not need establishment of these standards as a means of achieving its agency mission or project objectives. Wetland restoration efforts to remove the invasive growth of vegetation is more pertinent to restoring the health of this resource, and to support its function for flood control. Restoration improvements are proposed to achieve these goals. The project does not include any diversions of water that could impact stream flow.
  3. The permanent water flow restoration between Kawainui's wetland and Kawainui Stream (also known as Hāmākua Canal) traveling towards Hāmākua will not be included as part of this project. We understand that a 2015 planning study explored the possibility of restoring partial water flow from Kawainui's wetland into Kawainui Stream. DOFAW would be evaluating the results of this experiment and other possible implications to their wetland restoration efforts to determine if they would want to alter this water flow change in the future. Such a project would need to be coordinated with other government agencies, and appropriate environmental studies and permitting would be pursued at that time.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

## Ronald Sato

---

**From:** Dane Anderson <danekanderson@gmail.com>  
**Sent:** Monday, October 24, 2016 1:32 PM  
**To:** Ronald Sato; Marigold.S.Zoll@hawaii.gov  
**Subject:** Re: Support for Environmental Impact Study and the Kawainui-Hamakua Marsh Complex Plan

Dear Mr. Sato and Ms. Zoll,

I am writing in support of conducting an Environmental Impact Study and in support of the Kawainui-Hamakua Marsh Complex Plan in its entirety because of the following invaluable educational, recreational, cultural, and environmental gains:

\*The plan would accomplish restoration of the wetland ponds, thus opening up areas for endangered birds, fish, and estuary organisms.

\*The master plan would enhance educational access and quality by providing education facilities, trails, and viewing platforms for hands-on learning experiences.

\*The marsh plan recognizes that the Hawaiian presence, along with native Hawaiian cultural/educational centers at the marsh, is the key to its restoration and preservation, the continuation of educational and stewardship programs, and preservation of cultural sites there.

The plan confirms, not denigrates, this wetland and will restore it to some of its ancient preeminence. It has survived all the centuries of use, neglect and abuse, but still functions as a living organism, waiting to be restored to fuller utilization. It deserves the respect and restorative efforts that the Kawainui-Hamakua Marsh Complex Plan provides and sanctions.

I hope you will join me in supporting the EIS and this plan. Thank you.

Aloha,

Dane Anderson

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KAHOOLAWE ISLAND RESERVE COMMISSION  
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NOV 24 2017

Mr. Dane Anderson  
danekanderson@gmail.com

Dear Mr. Anderson:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your email dated October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We appreciate your support of the conceptual plans proposed for the Kawainui-Hāmākua Master Plan project, and the Draft EIS will document the probable impacts associated with this project. We concur that the project's proposed improvements would support restoring the ecological character of Kawainui and Hāmākua through wetland restoration and upland reforestation.

Other improvements would support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), regulatory requirements for public access and outdoor recreational opportunities, and increase educational programs and stewardship opportunities. The plan recognizes Kawainui's importance to native Hawaiian culture, and provides non-profit organizations with an opportunity to establish a permanent presence to conduct cultural practices, educational programs, and participate in the stewardship of this resource and cultural sites.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

A handwritten signature in blue ink, appearing to read "DMZell", with a small "for" written below it.

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

## Ronald Sato

---

**From:** Teddi Baumgartner <alohateddi@gmail.com>  
**Sent:** Sunday, October 23, 2016 5:17 PM  
**To:** Ronald Sato  
**Cc:** marigold.s.zoll@hawaii.gov  
**Subject:** Kawainui-Hamakua Marsh

October 21, 2016

Ronald A. Sato, AICP, Senior Associate

HHF Planners

733 Bishop St., Suite 2590

Honolulu, HI 96813

Dear Mr. Sato,

If you build it they will come. Will we have wise people who will look ahead to see what the impact of the Kawainui-Hamakua Complex Master Plan will be for our land?

There are so many questions that need to be addressed in the Environmental Impact Statement. I hope you will consider all of the questions that will be sent to you. Here are a few questions I have as a concerned citizen and daughter of Hawaiian ancestors.

- \*How will you protect the Kawainui-Hamakua marsh land and wildlife habitats?
- \*What kind of plans will be made to prevent the developed areas from becoming homeless encampments?
- \*Who will pay and provide security for these developed areas?
- \*Who will pay and provide clean-up for the areas, and how often will this be done?
- \*Who will pay and provide maintenance for these areas, and how often will this be checked?
- \*How will traffic and road upkeep be impacted and paid for by this new attraction, not just in the immediate area but for all the roads coming to Kailua?
- \*If toilets will be built, can you use composting toilets to keep human waste from entering the natural water systems?
- \*Can you have a green cultural presence and avoid having modern buildings and parking lots in the marsh?
- \*What type of vehicles, if any, can be used by the public on the paths?

Sincerely yours,



Theodora A. Baumgartner

113 Uilama St.

Kailua, HI 96734

--

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NOV 24 2017

Ms. Theodora A. Baumgartner  
113 Uilama Street  
Kailua, Hawai'i 96734

Dear Ms. Baumgartner:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your email dated October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

The Draft EIS addresses the projected probable impacts resulting from the project to provide decision-makers with information to objectively evaluate the project. We offer numbered responses to your nine bulleted questions.

1. We would like to clarify that the ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. Hāmākua's wetland has had restoration improvements and efforts there are focused on expanding habitat and providing support facilities for its management (e.g. tool shed). In terms of wildlife, wetland restoration efforts are intended to improve habitat for endangered waterbirds because Kawainui's present condition does not provide suitable habitat. The vast majority of birds present at Kawainui are alien species and common to Hawai'i. Mammalian species present are alien with all of them being deleterious to native ecosystems. The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua. The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and federal requirements under LWCF for public access and outdoor recreational opportunities. The Draft EIS includes more project information that addresses management concerns for public access, and efforts to support educational programs, cultural practices, and stewardship opportunities with non-profit organizations.



2. DOFAW effectively removes homeless encampments within Kawainui, and appreciates support from the community in identifying and notifying them of such camps and issues. Project improvements include efforts to create partnerships with non-profit organizations to increase stewardship opportunities of areas and help monitor activities occurring. DLNR's Division of Conservation and Resources Enforcement (DOCARE) is responsible for security and enforcing regulations on state property, including the prohibition on illegal camping, and will coordinate with DOFAW and DSP on activities. Areas developed as cultural centers would be operated by non-profit organizations which would ensure homeless encampments to not occur there.
3. DOCARE is funded by the state, and is responsible for security and regulations enforcement within state property such as at Kawainui and Hāmākua.
4. Maintenance of the education center and cultural centers planned would be conducted by the non-profit organizations managing those facilities, and a program addressing trash collection and general maintenance would be developed by them. DSP may contract firms for general maintenance of their other facilities, such as those at the Kawainui State Park Reserve, Kalāheo Section (park site), if DSP staffing is not available. Similarly, DOFAW would contract with firms for general maintenance of their facilities, such as the research and management station.
5. The response to item No. 4 addresses this comment.
6. The Draft EIS addresses the project's anticipated traffic impacts at major intersections. Maintenance of roadways is the responsibility of either the state or city agency with jurisdiction over them.
7. Restrooms planned would be connected to the City sewer system if service is nearby, otherwise, septic systems similar to what exists at the Model Airplane Park would be used. Composting toilets or vault toilets would be considered for these areas where it may be appropriate and feasible.
8. Environmentally sensitive and low impact development will be encouraged throughout the project area. For example, the proposed education center could be designed using post and pier construction to minimize ground disturbance, and the parking area would include a permeable surface to minimize storm water runoff. Low impact design (LID) elements such as bioswales, bioretention areas, and rain catchment systems will also be considered during the design phase of improvements implemented. The Draft EIS addresses establishing building and landscape design guidelines for Kawainui so that structures can have a more unifying vision and generally consistent themes. DOFAW and DSP can use these design guidelines in evaluating proposals for the cultural centers, design plans for the education center, and accessory structures. Such guidelines can ensure a level of consistent themes, while providing flexibility for different and unique design concepts.
9. No motorized vehicles or bicycles would be allowed on the pedestrian trails, with the exception of DOFAW maintenance vehicles or other authorized users.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



October 10, 2016

Ronald A. Sato, AICP, Senior Associate  
HHF Planners  
ADDRESS: 733 Bishop Street, Suite 2590  
Honolulu, Hawai'i 96813

Subject: Kawainui Master Plan EIS Comments

In the background section of the EIS it is important to point out that Kawainui Marsh today exists as a very much man-modified wetland and that we have a responsibility to actively manage this resource to maintain the ecosystem functions and services it provides to our community. Historians agree that Kawainui was largely an open body of water when the first Hawaiians colonized its shorelines some 500 or more years ago. But the fact that Hawaiians found it necessary to maintain the open water through annual vegetation removal through the reign of Kamehameha-I (~1819) indicates that this water body was already responding to increased nutrient input from surrounding farming practices two hundred year ago. By the second half of the 1800' open water in the marsh was almost gone (Smith, 1978).

The problem of limited water surface area was made worse by the transfer of water for agricultural purposes beginning in 1923 both in ditches from the upper Maunawili watershed and directly pumped from the marsh. Pumping of water from the marsh was made more efficient by the construction of a 1200 foot long 6-foot deep, 15-foot (bottom) 25 -foot (top) wide channel dug out into the center of the marsh in the 1920's and visible in the 1928 USGS map of the area. Records of the Waimanalo Sugar Co. indicate that in 1944 they constructed a 3-foot diameter 49-foot deep well at the water pumping point, but that in 1944 and 1945 that their water source from Kawainui had dried up by mid-June.

Between 1957 and 1965, four wastewater treatment plants were constructed in the Olomana and Maunawili communities that discharged secondary treated sewage into Kawainui until 1985. In 1985 the sewer line was completed that linked these flows to the Kailua WWTP. Based upon the nutrient concentrations and sewage flow rates reported (USACE 1981) about 600 tons of nitrogen and 300 tons of phosphorous was emptied into Kawainui during this time period. It should be no wonder that the vegetation mat covering Kawainui is so thick and luxurious. The plant survey of Kawainui Marsh (Oceanit, 2006) measured an average mat thickness of about 4 feet, with water depth in the marsh in the range of 4 to 6 feet and a maximum

depth exceeding 16 feet. Water depth in the vicinity of the 1200-foot long channel dug through the marsh in the 1920's averages about 3 to 4 feet, indicating that the marsh water surface is now much higher than it was when the channel was dug to get water to the pump site.

Dredging of the Oneawa Canal, completed by the USACE in 1952, and construction of the first Kawainui flood control levee in 1966 diverted an estimated flow of 28 million cubic feet (MCF) per month away from the Hamakua and Kaelepulu portions of the system and reduced outflow from the Kaelepulu Stream mouth from an average 30 MCF/mo to only 1/5 MCF/mo. This decrease in flow rate made it impossible for the stream mouth to remain open to the ocean and greatly changed the hydrology and water quality of the Hamakau and Kaelepulu portions of the system.

During three months during the summer of 2015 the DLNR performed an experiment to restore partial flow at a rate of 2 cubic feet per second (CFS) (about 5 MCF/mo) from Kawainui Marsh to Kawainui stream (Oceanit, 2016). The experiment demonstrated that restoration of partial flow would have a positive impact upon the ecology of the Hamakua wetlands, Kawainui Stream, and Kaelepulu system and improve the exchange through the stream mouth during opening events. The report also found that the very small maximum flow rate would result in no perceptible increase in flood threat to the community. The report showed that prior to construction of the levee an average of 28.5 million cubic feet (MCF) of water per month flowed from the marsh to the stream. An average of 30 MCF per month flowing from the mouth of the Kaelepulu stream to Kailua Bay was sufficient to keep the stream open and flowing most of the time. Presently the flow through the stream mouth averages only 1.5 MCF per month and the mouth must be artificially opened by the City to promote water exchange and reduce flood risk. Permanently restoring flow at a rate of 2 cubic feet per second (CFS) would increase this flow rate through the stream mouth from 1.5 MCF per month to about 6.25 MCF per month. Of greater importance it allowed the system to maintain or increase its water level through the 5 summer months when rainfall is not typically sufficient to offset evaporation from the system. The concept of restoring partial water flow from Kawainui Marsh to Kawainui Stream has been documented in previous planning studies of the area. The Kawainui Master Plan and EIS should include the possibility of permanent water flow restoration between Kawainui Marsh and Kawainui Stream.

Efforts over the past decade have successfully eliminated mangrove growth from the Kaelepulu Pond, Kaelepulu Stream, and the lower reach of Kawai Nui Stream. However, without the complete eradication of mangrove from the



upper reaches of Kawai Nui Stream, the entire system will continually be re-seeded with this invasive tree. Mangroves crowd out native vegetation, eliminate habitat for waterbirds, directly contribute to poor water quality, and lower the flood water carrying capacity of channels. The absolute eradication of this specific invasive species should be recognized as a major goal of the long range Kawai Nui Marsh plan.

Man's actions in the past have resulted in Kawainui Marsh being completely covered by a thick vegetation mat, have excised the flow from the Hamakua and Kaelepulu portions of the watershed, and have resulted in overgrowth by mangrove and other alien plant species. The Master Plan and FEIS need to recognize the importance of finding long term solutions to these three problems.

Sincerely



Bob Bourke  
Enchanted Lake Residents Association  
Scientific Advisor  
437 Keolu Drive  
Kailua, Hawaii 96734

CC: Marigold Zoll, Hawaii DoFaW, PO Box 621, Honolulu Hawaii 96809

Refs;

USACE, 1981 Final EIS for Permit Application for Olomana-Maunawili Sewer Projects, Kawainui Marsh, Oahu.

Smith, Linda 1978 Development of emergent vegetation in a tropical marsh. M.Sc. thesis submitted to Botanical Sciences, University of Hawaii. 107 p

Oceanit, 2006 Kawai Nui Marsh invasive Aquatic Plant Study. Kawai Nui Marsh, Kailua, Oahu. Prepared for USACE Honolulu district. Sponsored by Hawaii Division of Land and Natural Resources, Division of Forestry and Wildlife.

Oceanit, 2016 Kawai Nui Stream Flow Restoration Project. Siphon flow Restoration Experiment Report, May 2016 Prepared for State of Hawaii, Department of Land and Natural Resources, Engineering Division.

Waimanalo Sugar Company 1910-1946 Annual Reports (UH Library Microfiche files)

DAVID Y. IGE  
GOVERNOR OF HAWAII



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NOV 24 2017

Mr. Bob Bourke  
437 Keolu Drive  
Kailua, Hawai'i 96734

Dear Mr. Bourke:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 10, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We appreciate the historical background information you provided about the evolution of hydrologic conditions and water quality at Kawainui, and the impact of human activity such as agricultural use, wastewater treatment plant discharges, and the levee construction. You make the point that Kawainui today exists as a very much human-modified wetland, and that the state has a responsibility to actively manage this resource to maintain the ecosystem functions.

We concur that the ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua. The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and federal requirements under LWCF for improving public access and outdoor recreational opportunities.

Thank you also for information on the 2015 experiment that explored the possibility of restoring partial water flow from Kawainui's wetland into Kawainui Stream. However, the permanent water flow restoration between Kawainui's wetland and Kawainui Stream will not be included as part of this project. DOFAW would be evaluating the results of this experiment and other possible implications to their wetland restoration efforts to determine if they would want to alter this water flow change in the future. Such a project would need to be coordinated with other government agencies, and appropriate environmental studies and permitting would be pursued at that time.




The eradication of mangrove is something that DOFAW can work on now as part of their normal management and maintenance activities at Kawainui. DOFAW has supported the City's recent effort to remove mangrove within Kawainui Stream along the levee. Such efforts need to be evaluated in relation to their other priorities and activities, such as wetland restoration and maintenance of the restoration ponds. Where appropriate, DOFAW would participate in such mangrove eradication efforts.

We appreciate your taking the time to share your knowledge of the project area. Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



 David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

## Ronald Sato

---

**From:** kaburg <kaburg@att.net>  
**Sent:** Monday, October 24, 2016 11:44 AM  
**To:** Ronald Sato  
**Subject:** Kaiwanui Marsh

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

The community has posed many questions concerning environmental, cultural and sustainability factors that remain unanswered regarding Kaiwanui Marsh. The lack of response has the feel of business trying to railroad commercial development of an already preserved treasure of our state. No place is more representative of Hawaii than this ancient site.

This used to be the way of things here until the Hawaii Supreme Court shut down the ferry due to inadequate environmental study. That will happen again unless the requested environmental, water runoff and cultural studies are adequately addressed by neutral experts.

Thank you. Kelley Burg, Esq., Kailua

Sent from my T-Mobile 4G LTE Device

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NOV 24 2017

Mr. Kelley Burg, Esq.  
[kaburg@att.net](mailto:kaburg@att.net)

Dear Mr. Burg:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email dated October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.



We would like to clarify that responses have been provided to input received from the community as part of the planning process developing the Draft Master Plan, and the environmental review process provides further opportunities for comments. The Draft Master Plan included an Appendices that documents public informational meetings, community meetings, and included comments received by the community during the preparation of that report. Since then, a summary of comments received on the draft master plan, with responses, and copies of all written comments was made available to the public and those submitting comments in August 2016. This memo also addressed modifications made to the master plan concepts based upon comments received. The Draft EIS includes copies of written comments received from agencies and the community regarding the project (EISPN published), along with copies of response letters to them.

We would like to clarify that the ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua. The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and federal requirements under the Land and Water Conservation Fund for public access and outdoor recreational opportunities. Commercial development is not included in the project.

The Draft EIS includes more information addressing project effects on several environmental areas such as historic sites, water quality, etc., and identifies mitigative measures, if applicable. The Draft EIS also includes technical studies conducted by qualified experts for different areas.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



October 24, 2016

TITLE OF PROJECT: Kawainui-Hāmākua Master Plan Project Ko'olaupoko

LOCATION: District, O'ahu, Hawai'i

TAX MAP KEY NO.: (1) 4-2-003: 017 and 030; 4-2-013: 005, 010, 022 and 038; 4-2-016: 002 and 015; 4-2-017: 020; 4-2-103: 018 and 035; and 4-4-034: 025

PROPOSING AGENCY: ADDRESS: CONTACT: PHONE:

State of Hawai'i

Division of Forestry and Wildlife

Department of Land and Natural Resources

P.O. Box 621

Honolulu, Hawaii 96809

Ms. Marigold Zoll, O'ahu Forestry and Wildlife Manager Email: Marigold.S.Zoll@hawaii.gov  
(808) 973-9787

CONSULTANT: ADDRESS:

CONTACT: PHONE:

WITH A COPY SENT TO:

AGENCY:

ADDRESS: CONTACT: PHONE:

HHF Planners

733 Bishop Street, Suite 2590 Honolulu, Hawai'i 96813

Ronald A. Sato, AICP, Senior Associate Email: rsato@hhf.com

(808) 457-3172

State of Hawai'i

Division of Forestry and Wildlife

Department of Land and Natural Resources

P.O. Box 621

Honolulu, Hawai'i 96809

Ms. Marigold Zoll, O'ahu Forestry and Wildlife Manager Email: Marigold.S.Zoll@hawaii.gov  
(808) 973-9787

Aloha all involved in this Kawainui endeavour,

Please know I am for the conservation of this sacred waterway. I am also in favor of educating the public and enriching the lives of our youth and general public who live and visit Kailua. I believe that allowing the general public to use the waterway for training and recreational activities in the canal using non-motor craft i.e.: canoes, kyacks, paddleboards or any water craft that involves human propulsion not a motor should be allowed access Via the site directly across from Kalaheo high school. This site should also be upgraded to include watercraft storage, showers , restrooms and picnic areas for use by school children to use for outdoor educational purposes.

A call out to the local canoe clubs may be appropriate to help facilitate the design and use of this site. I also know that our local private school Le Jardine has asked to use this site for ILH KAYACK TRAINING use. This is a wonderful and safe place for our future athletes to train for those coveted university athletic scholarships. We should also think about a program for public

school students to be introduced into these water sports which we all know have been proven to keep our children out of trouble and to help build a better community.

Many water ways on Oahu have halau built for storage and have very successful programs. I.e.: Hui Nalu in Hawaii Kai, the Ala wai canal has 3 sites from which water craft are stored and launched. A site such as this on the windward side is so very valuable to its inhabitants and especially our youth. If we teach our children to co-exist with our beautiful native water fowl who already call this place home we will insure a respectful relationship which ultimately will protect our marsh and all that depend on it for their species survival.

Thank you for your time and effort in this matter. Please help our community grow in a positive way for all of us, not just those who feel that they own the canal because they own a house that was built on its banks. We are all responsible for the wellbeing of this place and should all be allowed to enjoy all it has to offer.

Sincerely,  
Roxanna Ching  
538 B Kipuka Place  
Kailua, Hawaii. 96734

808-306-4385

Rockyching@gmail.com





**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

NOV 24 2017

Ms. Roxanna Ching  
538 B. Kipuka Place  
Kailua, Hawai'i 96734

Dear Ms. Ching:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

Your support for the conservation of Kawainui along with educational programs benefiting both students and the public are noted, and this project is intended to support those objectives. The development of park improvements at the Kawainui State Park Reserve (SPR), Kalāheo Section (across Kalāheo High School) is already permitted based upon prior land use approvals. This previously approved plan included the limited launching of canoes for schools and canoe clubs into the Kawainui Canal. This Kawainui-Hāmākua Master Plan project includes some additional improvements to this park site consisting of a hale wa'a to support canoe storage and space for conducting educational programs. The Draft EIS discusses this background in more detail.

The project proposes to allow limited access to schools and canoe clubs to launch from this Kawainui SPR, Kalāheo site into the canal for practice by permits issued by the State DLNR, Division of State Parks (DSP). However, other watercraft (e.g. paddle boards) would not be permitted to launch from this park site. Other users could continue to access the canal from other areas outside of this project site, such as from the shoreline. Project plans include showers, restrooms, and a pavilion.

It is envisioned that areas at this site could be used for educational and cultural programs, such as those related to canoe and voyaging studies implemented in partnerships with non-profit organizations and schools. As you have suggested, canoe clubs, schools, and other stakeholders could be consulted during the design phase when DSP implements development of this site. We agree that improvements intended for this park site would enrich the lives of our youth and general public who live in and visit Kailua, and provides opportunities to include valuable educational and cultural programs benefitting all.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Smith", with a small blue checkmark or flourish to the left.

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



## Ronald Sato

---

**From:** Elizabeth Connors <betsyconnors60@yahoo.com>  
**Sent:** Thursday, October 20, 2016 11:22 PM  
**To:** Ronald Sato  
**Cc:** Marigold.S.Zoll@hawaii.gov; Diane Harding; Pauline MacNeil  
**Subject:** Re: the Kawainui development plan

Aloha, Mr. Sato,

For decades, the LKOC ,(Lani-Kailua Outdoor Circle)has taken action to protect the Kawainui Marsh from destructive development.

In the 1950s, a City Council Supervisor introduced a resolution calling for the city to drain and subdivide the "Kawainui Swamp," condemning it as a public menace.

The newly created LKOC (1948) rallied to defend the marsh, undertaking to educate its members and the Windward community re: the irreplaceable value of a wetland.

In 1974 an ad hoc committee was created by LKOC to oversee the marsh. This committee became in time the Kawainui Heritage Foundation and so forth.

As a "first responder" to the perils faced by the marsh, LKOC has long been its "steward" and continues as such today. LKOC has no other interest except its preservation as a "wetland of significance." (federal designation).

Because your planners have refused to listen to alternative, less invasive possibilities put forth by the community, we must ask again that you please consider such input. Pauline MacNeil, the LKOC spokesperson re: the marsh development plan, has much to offer in a positive ongoing dialogue between community and planners.

Having lived in Maunawili since 1978, it is also clear to me that a thorough hydrology assessment must be done, which includes the entire "ahupua'a. To say that your plan will only scrutinize the area for physical development is to invalidate your plan from the outset. The streams that fill the marsh land, the bay that drains the marsh land are essential considerations in creating a valid plan that protects wetland wildlife and water quality.

I recommend to you the Koloko-Honokohau Hawaiian Cultural Center on the Big Island as a model for a better way to proceed. It is a proposed green cultural center appropriate for protecting the land while using it.

The plan that you put forth does not demonstrate an effort to preserve and enhance this Hawaiian treasure. Please, accept positive input and authentic community dialogue as a means to achieve common goals. Paving paradise to put in a parking lot has never seemed like a good idea, especially not in a wetland.

Mahalo,

Betsy Connors  
1220 Lola Place  
Kailua Hi 96734-4529

Phone 261-8839  
Cell 258-8836

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DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

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ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Betsy Connors  
1220 Lola Place  
Kailua, Hawai'i 96734-4529

Dear Ms. Connors:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your email dated October 20, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISP) for the subject project.

We appreciate the Lani-Kailua Outdoor Circle's (LKOC) efforts over the years in looking out for the interests of Kawainui. We appreciate your efforts in serving as one of many stewards of this resource, which includes other non-profit organizations, some of which have curatorship agreements or have been conducting reforestation activities.

We would like to clarify that the ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua. The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and regulatory requirements for improving public access and outdoor recreational opportunities. The Draft EIS further discusses the project and condition of Kawainui's wetland.

We disagree that the planners have refused to listen to alternatives received. Input received from the various sides of the community have been identified and evaluated in relation to the project need and objectives. The Draft Master Plan (June 2014) included an Appendices that documented public informational meetings, community meetings, and included comments received by the community during the preparation of that report. Since then, a summary of comments received on the draft master plan, with responses, and copies of all written comments was made available to the public and those submitting comments in August 2016. This memo addressed modifications made to the master plan concepts based upon comments received. The



EIS processes provides another opportunity for the public to provide their comments and input for consideration.

Ms. McNeil of the LKOC has attended several community meetings, and her input is appreciated along with input that is received from several other community organizations. We understand Ms. McNeil's concerns with the level of visitors to Kailua, and the opposition to changes that may attract more visitors to Kailua. Kawainui is designated as a Ramsar wetland of international importance, and Ramsar supports sustainable tourism, recreational use, and cultural practices within designated wetlands. Ramsar views sustainable tourism as including maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements supporting these objectives, while trying to balance concerns with visitors and need for public access.

There are a number of previous hydrological studies of the Kawainui project site and larger surrounding watershed area that provide a range of information about hydrological conditions and background data to assess impacts from the project. Applicable information from these previous studies are included in the Draft EIS. Technical studies have also been conducted to address wildlife and water quality. The vast majority of birds present at Kawainui are alien species and common to Hawai'i. Mammalian species present are alien, with all of them being deleterious to native ecosystems. Wetland restoration efforts are intended to improve habitat for endangered waterbirds because Kawainui's present condition does not provide suitable habitat. Also, no facilities are being constructed within the wetland, as they are all located within upland areas.

Thank you for the reference to the Kaloko-Honokōhau Hawaiian Cultural Center on Hawai'i Island to view as a model. The objectives for that cultural center are similar to those proposed under this Kawainui-Hāmākua project, such as serving as a place where culture can be practiced, customs and traditions studied, taught, and shared with others. Several structures of both traditional and non-traditional Hawaiian design are planned at Kaloko-Honokōhau, which includes concrete pier blocks for foundations, etc. The areas designated for cultural centers under this project are also planned to incorporate low-impact design elements such as bioswales and bioretention areas and other sustainability design concepts. Building and landscape design guidelines can be developed so that DOFAW and DSP can use these guidelines in evaluating proposals for the cultural centers. However, the actual design would be determined by the selected non-profit organizations constructing and operating these centers.


We believe proposed concept plans do demonstrate an effort to restore Kawainui's degraded resource conditions, provide public access in a managed manner, increase stewardship opportunities and educational programs, and allow for cultural practices. We will continue to accept and evaluate input received, and continue dialogue with the community.



Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



 David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

## Ronald Sato

---

**From:** Vicki Creed <WaihonaA001@hawaii.rr.com>  
**Sent:** Wednesday, October 12, 2016 2:56 PM  
**To:** donna; Ronald Sato  
**Subject:** Fwd: Kawainui link to Plan

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

I would like the Map and Table of Archaeological sites found in the Kawainui Masterplan be included in this report. That way we know for the future which sites and family histories have been submerged. The Kahanaiki Stream basin in the marsh was full of Land Commission claims and awards and we need this record for future reference. Thank you.

Kawainui Marsh Master Plan Oahu, Hawaii, Report R-100

DLNR, Division of Forestry and Wildlife and Division of Water and Land Development

July 1994

Figure 2-11, Shows all of the archaeological sites followed by Table 2-8 on page 2-36 & 37 lists all the archaeological sites

This figure and this Table should be included in the HHF plan.

Victoria S. Creed, Ph.D. Waihona Aina Corp & Cultural Surveys Hawaii and private citizen.

1057 Lunaanela St. Kailua HI 96734

----- Forwarded Message -----

**Subject:** Kawainui link to Plan

**Date:** Fri, 7 Oct 2016 21:57:06 -1000

**From:** donna <[htf3000@gmail.com](mailto:htf3000@gmail.com)>

**To:** Vicki Creed <[waihonaa001@hawaii.rr.com](mailto:waihonaa001@hawaii.rr.com)>

This link should take you directly to the Kawainui-Hamakua Master Plan Project. Notice that there is no *marsh* or *even* wetland in the title and that the EIS is for the entire marsh and once passed that it is.

Donna



[http://oegc.doh.hawaii.gov/Shared%20Documents/EA\\_and\\_EIS\\_Online\\_Library/Oahu/2010s/2016-09-23-OA-5B-EISPN-Kawainui-Hamakua-Master-Plan.pdf](http://oegc.doh.hawaii.gov/Shared%20Documents/EA_and_EIS_Online_Library/Oahu/2010s/2016-09-23-OA-5B-EISPN-Kawainui-Hamakua-Master-Plan.pdf)

**Send comments/questions postmarked or received by October 24 to:**

HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, Hawai'i 96813  
CONTACT: Ronald A. Sato, AICP, Senior Associate  
Email: [rsato@hhf.com](mailto:rsato@hhf.com)  
PHONE: (808) 457-3172

**Send a copy to:**

State of Hawai'i

Division of Forestry and Wildlife

Department of Land and Natural Resources

ADDRESS: P.O. Box 621

Honolulu, Hawai'i 96809

CONTACT: Ms. Marigold Zoll, O'ahu Forestry and Wildlife Manager

Email: [Marigold.S.Zoll@hawaii.gov](mailto:Marigold.S.Zoll@hawaii.gov)

PHONE: (808) 973-9787

Donna

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DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
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DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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ENGINEERING  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Vicki Creed, Ph.D.  
1057 Lunaanela Street  
Kailua, Hawai'i 96734

Dear Dr. Creed:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your email dated October 12, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

A figure and table identifying archaeological sites within the Kawainui-Hāmākua project area is included in the Draft EIS.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Smith", is written over a horizontal line.

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

## Ronald Sato

---

**From:** William Sager <bsager42@gmail.com>  
**Sent:** Saturday, October 22, 2016 4:48 AM  
**To:** Ronald Sato  
**Cc:** Marigold.S.Zoll@hawaii.gov  
**Subject:** Support for Kawainui-Hamakua Marsh Complex Master Plan Preparation Notice.

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**The Conservation Council for Hawaii supports the Kawainui-Hamakua Marsh Complex Plan in its entirety** because of the following invaluable educational, recreational, cultural, and environmental gains:

\*The plan would accomplish the restoration of the wetland ponds, thus opening up areas for endangered birds, fish, and estuary organisms.

\*The master plan would enhance educational access and quality by providing education facilities, trails, and viewing platforms for hands-on learning experiences.

\*The marsh plan recognizes that the Hawaiian presence, along with native Hawaiian cultural/educational centers at the marsh, is the key to its restoration and preservation, the continuation of educational and stewardship programs, and preservation of cultural sites there.

The plan confirms, not denigrates, this wetland and will restore it to some of its ancient pre-eminence. It has survived all the centuries of use, neglect and abuse, but still functions as a living organism, waiting to be restored to fuller utilization. It deserves to be shared, not fenced off, or relegated to secondary status. It deserves the respect and restorative efforts that the Kawainui-Hamakua Marsh Complex Plan provides and sanctions.

**Four important things the Master plan fails to adequately address are:**

1. **Food sustainability and the potential to grow native foods in and around the marshes, and**
2. **Establishment of minimum stream flows required to maintain the health of the marsh and its tributary streams as required by HRS § 174C-71 *protection of instream uses*, and**



3. **US Army Corps of Engineers and DOFAW need to construct an underground conduit passage for the flow of water from Kawainui into the Hamakua Canal to re-establish water flow and improve the water circulation and health of Ka'elepulu Stream, and**
4. **Future Management of the Marsh. For instance, we believe the Kailua community supports most of the plan. What the community is afraid of is commercial activities overwhelming the Marsh. The Master Plan should state clearly that commercial tours are not an appropriate use of Marsh resources.**

-- Bill Sager [bill@resilientlivingtips.com](mailto:bill@resilientlivingtips.com)  
Conservation Council for Hawaii

--

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DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. William Sager

Conservation Council for Hawai'i  
[Bsager42@gmail.com](mailto:Bsager42@gmail.com)

Dear Mr. Sager:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your email sent October 22, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISP) for the subject project.

We appreciate the Conservation Council of Hawai'i's support of the conceptual plans proposed for the Kawainui-Hāmākua Master Plan project. We concur that the project's proposed improvements would support restoring the ecological character of Kawainui and Hāmākua through wetland restoration and upland reforestation.

Other improvements would support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), regulatory requirements for public access and outdoor recreational opportunities, and increase educational programs and stewardship opportunities. The plan recognizes Kawainui's importance to native Hawaiian culture, and provides non-profit organizations with an opportunity to establish a permanent presence to conduct cultural practices, educational programs, and participate in the stewardship of this resource and cultural sites. We concur that this resource of State importance should be shared with the public to facilitate education, cultural practices, and outdoor recreation.

We have the following numbered responses to your comments on the master plan.

1. DOFAW supports food security, food-forests and agroforestry. The Division has planted ulu and banana trees at Kawainui, and are open to other agroforestry efforts. Currently, lo'i kalo and other traditional crops are grown around Nā Pōhaku, Pōhakea, and Ulupō Heiau as a component of educational and cultural practices. The project's conceptual plans would support continuation of these activities, and also allow for such activities to be conducted at the cultural center planned at Kapa'a. However, larger scale agriculture or aquaculture production as part of food

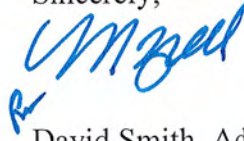
sustainability for the community or public needs to be balanced with the need to protect and manage native wildlife species. Food production activities would be encouraged where appropriate, but will be limited in scope due to relatively limited land area and the need to manage native species as part of the mix. Activities considered commercial agricultural production that would conflict with native species' habitat restoration would not be compatible. Kawainui's wetlands are flood-prone, and intended to serve as habitat for endangered waterbirds as part of the State's wildlife sanctuary, both of which would conflict with larger scale agricultural production and activities.

2. The establishment of minimum stream flows to protect the public interest in State waters, as discussed in § 174C-71, Hawai'i Revised Statutes, aligns with DOFAW's mission to protect watersheds and native ecosystems, which include Kawainui's streams and tributaries. The establishment of permanent standards is determined on a stream-by-stream basis by the Commission on Water Resource Management (CWRM). The project does not need establishment of these standards as a means of achieving its agency mission or project objectives. Wetland restoration efforts to remove the invasive growth of vegetation are more pertinent to restoring the health of this resource, and to support its function for flood control. Restoration improvements are proposed to achieve these goals. The project does not include any diversions of water that could impact stream flow.
3. The permanent water flow restoration between Kawainui's wetland and Kawainui Stream (also known as Hāmākua Canal) traveling towards Hāmākua will not be included as part of this project. We understand that a 2015 planning study explored the possibility of restoring partial water flow from Kawainui's wetland into Kawainui Stream. DOFAW would be evaluating the results of this experiment and other possible implications to their wetland restoration efforts to determine if they would want to alter this water flow change in the future. Such a project would need to be coordinated with other government agencies, and appropriate environmental studies and permitting would be pursued at that time.
4. We believe that the majority of the community does support most of the elements of the project, however, there are certain portions of the project that raises community concerns. The main concern is the opposition to the level of visitors to Kailua by some members of the community, and subsequently has concerns with any changes that may attract more visitors to Kailua. The project does not include commercial development for visitors. While school buses will be accommodated by prior arrangement, no commercial tour buses or commercial activity is allowed on state land, including lands used by non-profit organizations. The Draft EIS includes discussion of various management alternatives available to DOFAW and DSP to manage visitor activities at Kawainui.



Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

## Ronald Sato

---

**From:** Kyle Dahlin <kdahlin@purdue.edu>  
**Sent:** Monday, October 24, 2016 5:28 AM  
**To:** Ronald Sato  
**Subject:** Kawainui-Hamakua Marsh Complex Plan

I support conducting an Environmental Impact Study and support the Kawainui-Hamakua Marsh Complex Plan in its entirety because of the following invaluable educational, recreational, cultural, and environmental gains:

\*The plan would accomplish restoration of the wetland ponds, thus opening up areas for endangered birds, fish, and estuary organisms.

\*The master plan would enhance educational access and quality by providing education facilities, trails, and viewing platforms for hands-on learning experiences.

As a mathematics educator, I plan to utilize these resources in my curriculum in order to link mathematical concepts to real world issues which affect my students and their heritage.

\*The marsh plan recognizes that the Hawaiian presence, along with native Hawaiian cultural/educational centers at the marsh, is the key to its restoration and preservation, the continuation of educational and stewardship programs, and preservation of cultural sites there.

The plan confirms, not denigrates, this wetland and will restore it to some of its ancient preeminence. It has survived all the centuries of use, neglect and abuse, but still functions as a living organism, waiting to be restored to fuller utilization. It deserves to be shared, not fenced off, or relegated to secondary status. It deserves the respect and restorative efforts that the Kawainui-Hamakua Marsh Complex Plan provides and sanctions.

Three important things the Master plan fails to address are:

1. Food sustainability and the potential to grow native foods in and around the marshes and
2. Establishment of minimum stream flows required to maintain the health of the marsh and its tributary streams as required by § 174C-71 protection of instream uses.
3. US Army Corps of Engineers and DOFAW need to construct an underground conduit passage for the flow of water from Kawainui into the Hamakua Canal to re-establish managed water flow, and improve the water circulation and health of Kaelepulu Stream.

Mahalo,

- Kyle Dahlin  
Calculus Instructor, Purdue University  
[kdahlin@purdue.edu](mailto:kdahlin@purdue.edu)

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**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. Kyle Dahlin  
[kdahlin@purdue.edu](mailto:kdahlin@purdue.edu)

Dear Mr. Dahlin:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email dated October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We appreciate your support of the conceptual plans proposed for the Kawainui-Hāmākua Master Plan project, and the Draft EIS will document the probable impacts associated with this project. We concur that the project's proposed improvements would support restoring the ecological character of Kawainui and Hāmākua through wetland restoration and upland reforestation.

Other improvements would support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), regulatory requirements for public access and outdoor recreational opportunities, support conducting educational programs, and increase stewardship opportunities. We appreciate your plan to incorporate the project's resources to support your curriculum, which is what the project improvements are intended to support.

The plan recognizes Kawainui's importance to native Hawaiian culture, and provides non-profit organizations with an opportunity to establish a permanent presence to conduct cultural practices, educational programs, and participate in the stewardship of this resource and cultural sites. We concur that this resource of State importance should be shared with the public to facilitate education, cultural practices, and outdoor recreation.

We have the following numbered responses to your comments on the master plan.

1. DOFAW supports food security, food-forests and agroforestry. The Division has planted ulu and banana trees at Kawainui, and are open to other agroforestry efforts. Currently, lo‘i kalo and other traditional crops are grown around Nā Pōhaku, Pōhakea, and Ulupō Heiau as a component of educational and cultural practices. The project's conceptual plans would support continuation of these activities, and also





allow for such activities to be conducted at the cultural center planned at Kapa'a. However, larger scale agriculture or aquaculture production as part of food sustainability for the community or public needs to be balanced with the need to protect and manage native wildlife species. Food production activities would be encouraged where appropriate, but will be limited in scope due to relatively limited land area and the need to manage native species as part of the mix. Activities considered commercial agricultural production that would conflict with native species' habitat restoration would not be compatible. Kawainui's wetlands are flood-prone, and intended to serve as habitat for endangered waterbirds as part of the State's wildlife sanctuary, both of which would conflict with larger scale agricultural production and activities.

2. The establishment of minimum stream flows to protect the public interest in State waters, as discussed in § 174C-71, Hawai'i Revised Statutes, aligns with DOFAW's mission to protect watersheds and native ecosystems, which include Kawainui's streams and tributaries. The establishment of permanent standards is determined on a stream-by-stream basis by the Commission on Water Resource Management (CWRM). The project does not need establishment of these standards as a means of achieving its agency mission or project objectives. Wetland restoration efforts to remove the invasive growth of vegetation is more pertinent to restoring the health of this resource, and to support its function for flood control. Restoration improvements are proposed to achieve these goals. The project does not include any diversions of water that could impact stream flow.
3. The permanent water flow restoration between Kawainui's wetland and Kawainui Stream (also known as Hāmākua Canal) traveling towards Hāmākua will not be included as part of this project. We understand that a 2015 planning study explored the possibility of restoring partial water flow from Kawainui's wetland into Kawainui Stream. DOFAW would be evaluating the results of this experiment and other possible implications to their wetland restoration efforts to determine if they would want to alter this water flow change in the future. Such a project would need to be coordinated with other government agencies, and appropriate environmental studies and permitting would be pursued at that time.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

## Ronald Sato

---

**From:** Derek Esibill <wired@thepaf.org>  
**Sent:** Monday, October 24, 2016 5:51 PM  
**To:** Ronald Sato; marigold.s.zoll@hawaii.gov  
**Subject:** EISPN Kawainui Marsh

I support conducting an Environmental Impact Study and support the Kawainui-Hamakua Marsh Complex Plan in its entirety because of the following invaluable educational, recreational, cultural, and environmental gains:

\*The plan would accomplish restoration of the wetland ponds, thus opening up areas for endangered birds, fish, and estuary organisms.

\*The master plan would enhance educational access and quality by providing education facilities, trails, and viewing platforms for hands-on learning experiences.

\*The marsh plan recognizes that the Hawaiian presence, along with native Hawaiian cultural/educational centers at the marsh, is the key to its restoration and preservation, the continuation of educational and stewardship programs, and preservation of cultural sites there.

The plan confirms, not denigrates, this wetland and will restore it to some of its ancient preeminence. It has survived all the centuries of use, neglect and abuse, but still functions as a living organism, waiting to be restored to fuller utilization. It deserves to be shared, not fenced off, or relegated to secondary status. It deserves the respect and restorative efforts that the Kawainui-Hamakua Marsh Complex Plan provides and sanctions.

Three important things the Master plan fails to address are:

1. Food sustainability and the potential to grow native foods in and around the marshes and
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3. US Army Corps of Engineers and DOFAW need to construct an underground conduit passage for the flow of water from Kawainui into the Hamakua Canal to re-establish managed water flow, and improve the water circulation and health of Kaelepulu Stream.
4. The implementation of a management plan headed by DOFAW as advised by a hui of the non-profit organizations engaged in restorative and educational work in Kawanui Marsh.

Respectfully,  
Derek Esibill  
Pacific American Foundation  
WIRED Program Director  
[www.thepaf.org/WIRED](http://www.thepaf.org/WIRED)  
(808) 284-6388

--



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
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KAIHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. Derek Esibill  
WIRED Program Director  
Pacific American Foundation

[wired@thepaf.org](mailto:wired@thepaf.org)

Dear Mr. Esibill:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email dated October 24 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We appreciate your support of the conceptual plans proposed for the Kawainui-Hāmākua Master Plan project, and the Draft EIS will document the probable impacts associated with this project. We concur that the project's proposed improvements would support restoring the ecological character of Kawainui and Hāmākua through wetland restoration and upland reforestation.

Other improvements would support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), regulatory requirements for public access and outdoor recreational opportunities, and increase educational programs and stewardship opportunities. The plan recognizes Kawainui's importance to native Hawaiian culture, and provides non-profit organizations with an opportunity to establish a permanent presence to conduct cultural practices, educational programs, and participate in the stewardship of this resource and cultural sites. We concur that this resource of State importance should be shared with the public to facilitate education, cultural practices, and outdoor recreation.

We have the following numbered responses to your comments on the master plan.

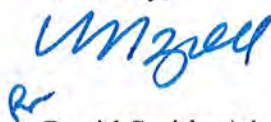
1. DOFAW supports food security, food-forests and agroforestry. The Division has planted ulu and banana trees at Kawainui, and are open to other agroforestry efforts. Currently, lo‘i kalo and other traditional crops are grown around Nā Pōhaku, Pōhakea, and Ulupō Heiau as a component of educational and cultural practices. The project's conceptual plans would support continuation of these activities, and also allow for such activities to be conducted at the cultural center planned at Kapa‘a.



- However, larger scale agriculture or aquaculture production as part of food sustainability for the community or public needs to be balanced with the need to protect and manage native wildlife species. Food production activities would be encouraged where appropriate, but will be limited in scope due to relatively limited land area and the need to manage native species as part of the mix. Activities considered commercial agricultural production that would conflict with native species' habitat restoration would not be compatible. Kawainui's wetlands are flood-prone, and intended to serve as habitat for endangered waterbirds as part of the State's wildlife sanctuary, both of which would conflict with larger scale agricultural production and activities.
2. The establishment of minimum stream flows to protect the public interest in State waters, as discussed in § 174C-71, Hawai'i Revised Statutes, aligns with DOFAW's mission to protect watersheds and native ecosystems, which include Kawainui's streams and tributaries. The establishment of permanent standards is determined on a stream-by-stream basis by the Commission on Water Resource Management (CWRM). The project does not need establishment of these standards as a means of achieving its agency mission or project objectives. Wetland restoration efforts to remove the invasive growth of vegetation is more pertinent to restoring the health of this resource, and to support its function for flood control. Restoration improvements are proposed to achieve these goals. The project does not include any diversions of water that could impact stream flow.
  3. The permanent water flow restoration between Kawainui's wetland and Kawainui Stream (also known as Hāmākua Canal) traveling towards Hāmākua will not be included as part of this project. We understand that a 2015 planning study explored the possibility of restoring partial water flow from Kawainui's wetland into Kawainui Stream. DOFAW would be evaluating the results of this experiment and other possible implications to their wetland restoration efforts to determine if they would want to alter this water flow change in the future. Such a project would need to be coordinated with other government agencies, and appropriate environmental studies and permitting would be pursued at that time.
  4. Improvements proposed for the Kawainui State Park Reserve, Kalāheo site include a pavilion, restrooms and parking. It would also include a hale wa'a constructed and maintained by a non-profit organization that includes space (lanai, meeting room) envisioned to support cultural and educational programs related to the sport of canoeing and ecology. The Draft EIS discusses this site in more detail which includes the type of educational and cultural programs that can be conducted there.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



*For the Protection of Hawaii's Native Wildlife*

## **HAWAII AUDUBON SOCIETY**

850 Richards St., Suite 505 • Honolulu, HI 96813-4709  
Telephone (808) 528-1432 Fax (808) 537-5294  
Email [hawaiiadubonsoc@hawaiiantel.biz](mailto:hawaiiadubonsoc@hawaiiantel.biz)  
Website [www.hawaiiadubon.com](http://www.hawaiiadubon.com)

October 17, 2016

State of Hawaii Department of Land & Natural Resources (Proposing Agency)  
Division of Forestry & Wildlife, Oahu Forestry & Wildlife Manager Marigold Zoll  
1151 Punchbowl Street  
Honolulu, Hawai'i 96813

Hawaii Audubon Society Comments on EISPN for the Kawainui-Hamakua Master Plan Project

The Hawaii Audubon Society requests to be a consulted party in the preparation of an Environmental Impact Statement (EIS) for the Kawainui-Hamakua Master Plan Project. The following comments pertaining to the EISPN for Kawainui-Hamakua Master Plan Project are consistent with our mission statement and our previous comments on the Draft Kawainui-Hamakua Complex Master Plan that we submitted in June 2014. Since its founding in 1939, the mission of the Society has been "to foster community values that result in protection and restoration of native ecosystems and conservation of natural resources through education, science and advocacy in Hawaii and the Pacific."

First and foremost, the Kawainui-Hamakua Marsh complex was designated a Wetland of International Importance by the United Nations for some very good reasons. It is the last large wetland complex in the State of Hawaii and the entire 986 acres are either wetlands or watershed that support wetlands. Furthermore, as Hawaii's Department of Land and Natural Resources (DLNR) acknowledges in the EISPN, these wetlands and their watersheds are severely degraded as a result of human use that began when humans first came to these islands and almost all of their natural ecosystem services and functions are in serious need of restoration.

Yet sadly the EISPN indicates that the Master Plan Project is not a watershed and wetlands restoration plan. Instead it is a human use plan for even more human activities inappropriate for wetlands and the watershed they depend on. Most of the planned activities could and should be done elsewhere. DLNR's reason for this approach is reportedly that the State does not have enough funds to restore and manage this public trust resource and proposes to turn over restoration and management responsibility to private cultural organizations who have no scientific expertise in botany, zoology, hydrology, limnology or ecosystem restoration sciences. We believe only a fully restored and functioning Kawainui Marsh, which provides an abundance of habitat and protection for Hawaii's endangered waterbirds and migratory birds, whose water



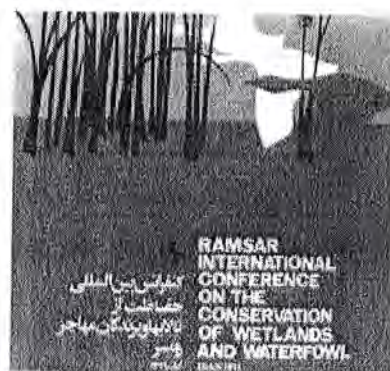
quality is as clean and pure as possible, has adequate water to provide sufficient waterbird habitat and facilitate native goby migration, actively protects known archaeological sites and seeks to discover as yet unearthed historical and archaeological sites, and is a secure and safe place to visit, can host a limited number of people to experience its wonders.

The Kawainui Marsh and Hamakua Marsh share international recognition as biosphere reserve sites under the auspices of UNESCO, and as Wetlands of International Importance under the Ramsar Convention. It would be very unfortunate if Kawainui Marsh were to lose its Ramsar designation because implementation of the "Kawainui-Hamakua Master Plan Project" will result in future failure to meet Ramsar criteria 1, 2, 3, and 8, which formed the basis for acceptance for listing as a Wetland of International importance under the Ramsar Convention and its eligibility for listing on the National Register of Historical Places. Exhibit A at the end of our comments below contains four pages of information submitted with the Application for Designation of Kawainui Marsh as a Ramsar Wetlands of International Importance. Based in large measure on this information Kawainui Marsh was granted Ramsar status.

**Convention on Wetlands of International Importance especially as Waterfowl Habitat  
Ramsar, Iran, February 2, 1971.**

The call for an international convention on wetlands came in 1962 during a conference which formed part of Project MAR (from "MARshes"), a program established in 1960 following concern at the rapidity with which large stretches of marshland and other wetlands in Europe were being "reclaimed" or otherwise destroyed, with a resulting decline in numbers of waterfowl. The MAR Conference was organized with the participation of the International Union for the Conservation of Nature and Natural Resources (now IUCN-International Union for Conservation of Nature, which met in Honolulu in September 2016), the International Waterfowl and Wetlands Research Bureau, (now Wetlands International), and the International Council for Bird Preservation, (now BirdLife International), and was held in France November 12-16, 1962. Over the next eight years, a convention text was negotiated through a series of international meetings. Initially the convention was directed specifically at the conservation of waterfowl through the creation of a network of refuges, but as the text developed, conservation of wetland habitat (rather than species) took prominence.

Finally, at an international meeting organized by Iran's Game and Fish Department and held in the Caspian seaside resort of Ramsar in Iran, the text of the Convention was agreed on February 2, 1971, and signed by the delegates of 18 nations the next day. The Convention entered into force in December 1975, upon receipt by UNESCO of the seventh instrument of ratification. The United States joined the Ramsar Convention





on April 18, 1987 and to date has successfully nominated and received RAMSAR designation for 35 sites, including the Kawainui and Hamakua Marsh Complex in 2005. The U.S. Fish & Wildlife Service oversees compliance by site management with the Convention.

#### **Kawainui Marsh Complex designated a RAMSAR Wetland of International Importance**

Once a country has become a signatory to the Ramsar Convention, it can nominate wetlands for inclusion in the list of 'Wetlands of International Importance' (RAMSAR sites). These wetlands must meet at least one of the internationally-accepted criteria in relation to their zoology, botany, ecology, hydrology or limnology and their importance to waterfowl and other wetland dependent biodiversity.

The Kawainui Marsh Complex is the largest wetland remaining in Hawai'i, covering an area of 986 acres and extending from approximately the 1 to the 40-foot elevation. After two years of research Hawaii's Thousand Friends (HTF) and the National Audubon Society (NAS) submitted an Information Sheet on Ramsar Wetlands to have Kawainui and Hamakua Marshes declared a *Wetland of International Importance* under the Ramsar Convention to the U.S. Department of Interior, Fish and Wildlife Service, Office of International Affairs. In 2005 Kawainui Marsh was formally accepted by the Secretary General to the Ramsar Convention because it met the following four criteria:

Criterion 1: A wetland should be considered internationally important if it contains a representative, rare, or unique example of a natural or near-natural wetland type found within the appropriate biogeography region.

- Kawainui and Hamakua Marshes met this criterion because of their hydrological functions as a flood control reservoir of surrounding local community by storing runoff as surface water from major rainfall events, major role in maintaining natural functioning and high water quality of Kailua Bay by trapping sediment and uptakes nutrients and pollutants.

Criterion 2: A wetland should be considered internationally important if it supports vulnerable, endangered, or critically endangered species or threatened ecological communities.

- Both marshes support four endangered species endemic to the Hawaiian Islands. The wetland complex provides habitat for four endemic Hawaiian waterbirds listed as endangered under the U.S. Endangered Species Act: hybrids of the Hawaiian Duck (koloa maoli), Hawaiian Coot ('ale ke'o ke'o), Hawaiian Moorhen ('ale 'ula) and Hawaiian Stilt (kukuluae'o – abbreviated as ae'o)

Criterion 3: A wetland should be considered internationally important if it supports populations of plant and/or animal species important for maintaining the biological diversity of a particular biogeographic region.

- Kawainui and Hamakua Marshes provide a significant portion of habitat requirements for the four endangered waterbirds, which are all endemic to Hawai'i making the wetlands critical for maintaining the biological diversity of the biogeographic region.

Criterion 8: A wetland should be considered internationally important if it is an important source of food for fishes, spawning ground, nursery and/or migration path on which fish stocks, either within the wetland or elsewhere, depending.

- Kawainui Marsh provides a migration path from the ocean to mountain streams for indigenous and endemic amphidromous fish and crustaceans, including the indigenous goby, endemic goby, and endemic shrimp.

International recognition of the importance of Hawaii's only Ramsar *Wetland of International Importance* complex provides both value and recognition to the State of Hawaii and an added level of protection. Ramsar's Contracting Parties, which include the United States, are obliged to maintain the ecological character of sites in their country that are designated as Ramsar Sites.

#### **Kawainui Marsh and Hamakua Marsh Are Public Trust Resources**

The Public Trust Doctrine is incorporated into the Hawaii Constitution, which recognizes the application of public trust principles in the protection and management of all its natural resources:

Article IX Section 8 "The State shall have the power to promote and maintain a healthful environment, including the prevention of any excessive demands upon the environment and the State's resources."

Article XI Section 1 "For the benefit of present and future generation, the State and its political subdivision shall conserve and protect Hawaii's natural beauty and all natural resources, including land, water, air minerals and energy sources, and shall promote the development and utilization of these resources in a manner consistent with their conservation . . . All public natural resources are held in trust by the State for the benefit of the people."

Article XI Section 7 "The State has an obligation to protect, control and regulate the use of Hawaii's water resources for the benefit of its people."

Article XI Section 9 "Each person has the right to a clean and healthful environment, as defined by laws relating to environmental quality, including control of pollution and conservation, protection and enhancement of natural resources. Any person may enforce this right against any party, public or private, through appropriate legal proceedings, subject to reasonable limitations and regulation as provided by law."

DLNR is responsible as trustee to protect and manage Kawainui Marsh in the interest of the public and not support private use of the Marsh as this EISPN proposes. As trustee, the DLNR has an obligation not only to preserve state property subject to the public trust, but also not allow for any diminution of the trust corpus. The public trust doctrine places DLNR under fiduciary obligation to protect trust resources and prevent private appropriation

DLNR's Division of Forestry and Wildlife (DOFAW) State Wildlife Sanctuaries program focuses on implementing wetland management techniques to restore, enhance, protect and maintain wetland ecosystems, recognizing that ecosystem condition and its ability to function properly as a wetland is critical to the recovery of endangered waterbird species. Yet, the EISPN contains very little about the ecological significance of Kawainui and Hamakua Marshes or how they will be restored, managed and protected to ensure the continuation of biological diversity for the four endangered waterbirds and includes nothing about improvements and management to aid in opening the migration path of indigenous and endemic fish and crustaceans from the ocean to mountain streams.

The U.S. Fish & Wildlife Recovery Plan recommends minimizing human disturbance to waterbirds and their habitats, which includes controlling human access to waterbird habitats during breeding season. The EISPN does not include a comprehensive discussion or solutions on how the endangered water birds will be kept safe and at a distance from people and feral cats and dogs that will become a problem once the Marsh is made more accessible via trails and boardwalks across streams and wetlands that now are a deterrent.

In addition to implementing recommendations from the U.S. Fish & Wildlife Recovery Plan for Hawaiian Waterbirds (October 2011) the EIS needs to include a program of research that will provide data important for understanding and managing the biota and other natural resources of the site. The EIS should also outline how sufficient pristine water sources will be ensured and water levels managed to achieve maximum nesting success and prevent stagnant anoxic habitats prone to outbreaks of botulism fatal to endangered water birds. Finally the EIS needs to prioritize whole-scale removal of invasive vegetation to increase the amount of water bird habitat and food availability.



### **Hydrology, Limnology and Water Quality**

It is common knowledge that water resources into Kawainui Marsh are dwindling for many reasons, such as diversions of stream and spring water mauka (upland) of Kawainui for urban development, a golf course, etc. About 1.4 million gallons a day is being channeled out of the Kawainui watershed to neighboring Waimanalo for farming. The State Department of Agriculture recently repaired the Maunawili Ditch that conveys water from Maunawili Valley to Waimanalo thus eliminating approximately 1 million gallons of water per day that has seeped into the ground and eventually down into Kawainui Marsh.

Maunawili and Kahanaiki streams and the polluted Kapa`a stream are the main sources of water into Kawainui Marsh and their banks are overgrown and choked with invasive species. So much so that what use to be a rushing flow of water into Kawainui Marsh is now an insufficient flow. Kapa`a Stream is bordered by industrial uses, a rock quarry and an old landfill for which TMDL (Total Maximum Daily Load) standards have been calculated because so many contaminants get into the stream. Waters from Kapa`a Stream flow into Kawainui Marsh, particularly during heavy rains, so the EIS should include a plan for cleaning up the water flowing from Kapa`a Stream into the Marsh. One action item should be the requirement that the ditches on either side of Kapa`a Quarry Road below the industrial park should be cleared of invasive vegetation so they can function as designed to filter water from the abandoned dump under the industrial park and Kapa`a Stream before it enters the waters of Kawainui.

Kapa`a Stream is a Class 2 inland stream under State Department of Health Water Quality Standards, whose objective as applied to Kapa`a Stream is "to protect its uses for recreational purposes, support and propagation of fish and other aquatic life..." Yet Kapa`a Stream is on the State Department of Health List of Impaired Waters prepared under the Clean Water Act §303(d) because of elevated concentrations of turbidity, total suspended solids, nutrients, and metals in the stream. The EIS needs to cover impacts to Kawainui Marsh from industrial development and activities in Kapa`a Valley and a plan to mitigate the polluted waters originating from the upstream industrial park and old Kailua landfill that will convert the contaminated waters to Class 1 waters before they enter the Marsh.

A limnological study of the entire Marsh and watershed also needs to be done before the EIS is finalized. Limnology analyzes the biological, chemical, physical, geological, and other attributes of all inland waters (running and standing waters, both fresh and brackish, natural or man-made) and includes the study of ponds, springs, streams and wetlands. Limnology is closely related to aquatic ecology and hydrobiology, which study aquatic organisms in particular regard to their hydrological environment.

### **Recreational Activities in Kawainui and Hamakua Wetlands**

The Society understands that some passive recreational activity must be allowed in State Wildlife Sanctuaries and State Parks. However for Kawainui and Hamakua Marsh State Wildlife Sanctuaries, we believe that such activity should be limited to low impact recreational activities that cannot be done elsewhere such as bird watching, photography, citizen science data collection, citizen habitat restoration and archaeological exploration. We recommend that a carrying capacity study be conducted for Kawainui Marsh and included in the EIS. The study would evaluate the carrying capacity of each individual site proposed for development and the Marsh as a whole to help ensure that this degraded yet fragile wetland is not overrun, overused and further degraded until it can no longer function as a marsh and wetland. To accommodate those who are not able to actually visit the Marsh, the EIS should recommend that DOFAW create an educational "take the place to the people" interactive website such as the one that NOAA's Office of National Marine Sanctuaries has established for the Northwestern Hawaiian Islands.

In summary, the primary focus of the EIS should be the restoration and management of the Kawainui-Hamakua wetlands and their watersheds, including upland water sources. Upland areas should be re-established as native upland forest and water diversions out of the watershed should cease in order to restore and maintain the natural hydrological functions of the Marsh. Wetlands restoration is also critical for recovery of native Hawaiian species, migratory water birds and their nesting habitats. Finally, only restoration of these ecosystems to their pre human contact condition will reverse the ongoing degradation of these wetlands and their watersheds.

Thank you for the opportunity to submit comments on the EISPN and please include the Hawaii Audubon Society as a consultative party in EIS process.

Linda M. B. Paul, President  
Hawai'i Audubon Society  
850 Richards Street Suite 505  
Honolulu, HI 96734  
HAS office phone: 808-528-1432  
email: hawaiiiaudubonsoc@hawaiiantel.biz



L.M.B. Paul  
email: linpaul@aloha.net  
home office phone: 808-262-6859

CC: HHF Planners  
733 Bishop St. Suite 2590  
Honolulu, HI 96813

## EXHIBIT A

The following information was submitted with the Application for Designation of Kawainui Marsh as a RAMSAR Wetlands of International Importance. Based in large measure on this information Kawainui Marsh was granted RAMSAR status. It would be very unfortunate if Kawainui Marsh lost its RAMSAR designation because of the proposed development in this important wetland outlined in the DRAFT "Complex Master Plan".

*There are six extant species of endemic waterbirds in the Hawaiian Islands; the Hawaiian duck, Hawaiian coot, Hawaiian stilt, Hawaiian moorhen, Laysan duck (Anas laysanensis), and Hawaiian goose or Nene (Branta sanvicensis) (U.S. Fish and Wildlife Service, 2002). The Hawaiian Duck and Moorhen were listed as federally endangered species in 1967 under the U.S. Endangered Species Act. The Hawaiian Coot and Stilt were added to the federal endangered species list in 1970 (U.S. Fish and Wildlife Service, 2002). The waterfowl, shorebirds, and coastal seabirds that use Kawainui and Hamakua wetlands are also protected under the U.S. Migratory Bird Treaty Act. Hunting of Hawaii's endemic waterbirds was outlawed by 1939 (U.S. Fish and Wildlife Service, 2002).*

*The Hawaiian Stilt (Ae'o), classified as a subspecies of the black-necked stilt, was historically known from all the Main Hawaiian Islands except Lana'i, Kaho'olawe, and possibly Hawaii. Historical population estimates are not available. The population may have declined to as low as 200 individuals by the early 1940s due to loss of wetlands and aquatic agricultural lands (U.S. Fish and Wildlife Service, 2002). Stilts are now found on all of the Main Hawaiian Islands except Kaho'olawe, with a statewide population relatively stable for the past 30 years. The current population is estimated at between 1,200 and 1,600 birds (U.S. Fish and Wildlife Service, 2002). Hawaiian Stilts disperse between the islands and constitute a homogeneous meta-population. O'ahu supports the largest number of stilts in the Hawaiian Islands, with the majority of stilts found on the north and windward coasts (includes the Kawainui and Hamakua wetland complex) (U.S. Fish and Wildlife Service, 2002). Between 1977 to 1996, O'ahu averaged between 40 to 60 percent of the stilt population (U.S. Fish and Wildlife Service, 2002). Stilts use a variety of aquatic habitats, but require early successional marshlands with shallow water depth, perennial vegetation that is limited and low growing, or exposed tidal flats. Stilts prefer to nest on freshly exposed mudflats interspersed with low growing vegetation (U.S. Fish and Wildlife Service, 2002).*

*The Hawaiian Coot ('Alae Ke'oke'o), a distinct species, historically occurred on all of the larger Hawaiian Islands with the exception of Lana'i and Kaho'olawe, was likely common in large natural marshes and ponds and used wetlands created by Hawaiians for taro cultivation and fish production (there are no population estimates prior to the 1950s), and have always been most numerous on O'ahu, Maui, and Kaua'i, (U.S. Fish and Wildlife Service, 2002). Currently, Hawaiian Coots inhabit all of the Main Hawaiian Islands except for Kaho'olawe, with a statewide population of between 2,000 and 4,000 birds, with a stable population for the past 25 years (U.S. Fish and Wildlife Service, 2002). O'ahu, Kaua'i, and Maui support 80% of the total population. Intra and inter-island movements occur when surface water storage is drawn down and food sources become concentrated (U.S. Fish and Wildlife Service, 2002). The O'ahu population is most abundant along wetlands of the windward side (including Kawainui and Hamakua Marshes), and in natural wetlands at*



*Kahuku Point. Coots prefer wetland habitats with suitable emergent plant growth interspersed with open water, and prefer freshwater wetlands and taro patches (U.S. Fish and Wildlife Service, 2002). Coots nest in open fresh and brackish water ponds, in shallow reservoirs, irrigation ditches, and small openings of marsh vegetation.*

*No historical population estimates are available for the Hawaiian Moorhen ('Alae 'Ula), a subspecies of the common moorhen, but it was known to be common on all the Main Hawaiian Islands excluding Lana'i and Kaho'olawe. Hawaiian Moorhens currently inhabit O'ahu and Kaua'i, but precise population estimates are not available (U.S. Fish and Wildlife Service, 2002). On O'ahu, moorhens are most prevalent on the north and windward side of the island (includes the Hamakua and Kawainui wetland complex). Moorhen habitat includes freshwater marshes, taro patches, reedy margins of water courses, reservoirs, and wet pastures. Moorhens nest in freshwater wetlands, placing the nests within dense emergent vegetation over shallow water.*

*The Hawaiian Duck (Koloa), a distinct species, was historically found on all of the Main Hawaiian Islands except Lana'i and Kaho'olawe, and while there are no population estimates available prior to 1940, the species was likely fairly common in natural and farmed wetlands. The current population is estimated to be about 2,500 birds, with 300 birds (12%) found on O'ahu. The O'ahu population frequents Kawainui Marsh, Hamakua Marsh, and He'eia Marsh on the windward coast; James Campbell National Wildlife Refuge, Punahoolapa, and Hale'iwa wetlands on the north shore; and wetlands near Pearl Harbor on the leeward coast (U.S. Fish and Wildlife Service, 2002). The Hawaiian Duck uses a wide variety of natural wetland habitats for nesting and feeding. Unfortunately, there has been extensive hybridization between Mallards (*Anas platyrhynchos*) and Hawaiian Ducks on O'ahu, with the near disappearance of Hawaiian Duck alleles (Browne et al., 1993).*

*Kawainui and Hamakua Marshes also provide habitat for migratory waterfowl and wintering shorebirds (Ducks Unlimited, No Date and 1993). Migratory waterfowl, such as the Northern Pintail (*Anas acuta*), Northern Shoveler (*Anas clypeata*), Mallard (*Anas platyrhynchos*), Canada Goose (*Branta Canadensis*), Lesser Scaup (*Aythya affinis*), Green-winged Teal (*Anas crecca*), American Wigeon (*Anas americana*), and Redhead (*Aythya americana*) are found within the small ponds in the wet pasture and the larger open water areas of Kawainui Marsh during winter months (Conant, 1981; U.S. Fish and Wildlife Service, 1997). Feral mallards are regular, year-round inhabitants. Migratory shorebirds reported from Kawainui Marsh include the Pacific Golden Plover (*Pluvialis fulva*), Ruddy Turnstone (*Arenaria interpres*), Sanderling (*Calidris alba*), and Wandering Tattler (*Heteroscelus incanus*) (adapted from Conant, 1981; U.S. Fish and Wildlife Service, 1997).*

*The Auku'u or Black-crowned Night Heron (*Nycticorax nycticorax hoactli*) is common within the open water areas and potholes of the wet pasture (Conant, 1981; U.S. Fish and Wildlife Service, 1997). The only indigenous non-wetland dependent bird species that regularly frequents the Kawainui and Hamakua Marshes is the Iwa or Great Frigatebird (*Fregata minor palmerstoni*) (Conant, 1981; U.S. Army Corps of Engineers, 1998). The Cattle Egret (*Bulbulcus ibis*) is abundant in the marshes, and is the marshes' only alien waterbird (Conant, 1981).*

*Apart from the four endemic Hawaiian waterbirds described in Section 12, Kawainui Marsh supports relatively low densities of endangered waterbirds compared to other less disturbed wetlands found on O'ahu due to the loss of waterbird habitat in Kawainui Marsh from introduced invasive vegetation. This suggests that the marsh has the capacity to support significantly higher numbers of waterbird and shorebird populations if an ongoing management program involving extensive invasive vegetation removal and predator control activities is implemented (U.S. Fish and Wildlife Service, 1997). Freshwater wells and pumps need to be installed to increase water flow through the Marsh to replace water diverted out of Kawainui's watershed.*

*There are approximately 700 acres of wetland in Kawainui, and probably less than 20 acres that provide habitat for native or migratory bird species, primarily due to overgrown exotic vegetation. Threats that adversely affect these species include predation and degradation of nesting habitat by introduced animals (Mongoose (*Herpestes auropunctatus*), Rats (primarily *Rattus rattus*), Cats (*Felis catus*), Dogs (*Canis familiaris*), fish such as Tilapia, Cattle Egrets, and Barn Owls), invasion of wetlands by alien plants, altered wetland hydrology, hybridization of the Hawaiian Duck with mallards, avian botulism and other diseases, pollution, urbanization of land adjacent to wetlands (increases the numbers of cats and dogs in wetlands, reduces the quality of water entering wetlands, alters the size of wetlands' contributing watersheds), and continued loss of wetland area to development (U.S. Fish and Wildlife Service, 2002).*

*The Kawainui Marsh area has many landforms named for sacred persons revered in over 1,500 years of Hawaiian tradition (Drigot and Seto, 1982). There is Hawaiian legendary history associated with the Kawainui Marsh area, including a legend of Hau-wahine, a guardian spirit over the Kawainui fishpond, called a mo'o, and a famous mythological tree, Makalei, which had the power of attracting fish (Kelly and Nakamura, 1981). Mo'o purportedly lived in her grove of awa by the Makalei tree near where the waters drain from Kawainui Marsh to Hamakua. Hauwahine's companion mo'o, named Kilioe, lived at the opposite end of Hamakua near where Kawainui Stream enters Ka'elepulu Stream. The length of Kawainui Stream is the area of coitus between the male, Kawainui, and the female, Ka'elepulu, explaining why those waters always teemed with the juvenile fish common to both ancient fishponds. The Hawaiian coot and Hawaiian moorhen are sacred to Hina, a Hawaiian Earth-mother category of goddess who can take the form of these birds. The eggs of these birds were traditionally used in ceremonies to consecrate chiefs and priests. The Hawaiian Stilt is sacred to the Hawaiian god Ku, in his form as a fisherman. These birds are a culturally significant and endangered resource.*

*About 500 years ago, early Hawaiians maintained the freshwater fishpond in Kawainui, which was joined by a stream to nearby Ka'elepulu Pond (Enchanted Lake). The fishpond was surrounded on all sides by a system of canals ('auwai) bringing water from Maunawili Stream and springs to walled taro lo'i (Handy et al., 1972). The historical walls from the lo'i still exist in Kawainui Marsh, thought to be approximately 50 cm below existing ground elevations (U.S. Army Corps of Engineers, 1998). The system of terraces east of the seaward end of Pu'uo'ehu was fed by the stream running from Kawainui to Ka'elepulu Stream. Terraces west of Kawainui Pond at Kapa'a Valley were fed by Kapa'a Stream, while those to the north, below Mahinui, received waters diverted from Kawainui. Where the system of canals moved through what is now called the Hamakua area, excessive runoff could be*

*directed into Kailua's other freshwater, spring-fed fishpond, Ka'elepulu (now called Enchanted Lake). Both fishponds were used to raise fish (milkfish, mullet, aholehole, and o'opu), with the residents of Waimanalo and Kailua seasonally called upon to help clear the ponds of excessive algae; all who participated in maintaining the fishponds were permitted to keep fish (Handy et al., 1972; U.S. Fish and Wildlife Service, 1997).*

*Since the 1960s, the local community around Kawainui Marsh, and a variety of local and statewide environmental, educational, and native Hawaiian groups and individuals, have consistently advocated for resource protection and against development in and around the marsh (Hawaii State Department of Land and Natural Resources, 1994; U.S. Army Corps of Engineers, 1998).*

*Most of Kawainui Marsh is in the P-1 protective subzone of the State land use conservation district. The City and County of Honolulu's land use map designates most of Kawainui Marsh and all of Hamakua Marsh as "Preservation", and all of Kawainui and Hamakua Marshes are located within its Special Management Area boundaries.*

*Listing of Kawainui Marsh on the eligibility list for inclusion on the National Register of Historic Places as a "Cultural/Archaeological Historic District" requires compliance with Section 106 of the U.S. National Historic Preservation Act for any action that may impact the area.*

*In 1994 the Hawai'i State Department of Land and Natural Resources) prepared a master plan for Kawainui Marsh, which identifies objectives, policies, and recommended actions to protect the marsh. The majority of the Plan's recommendations, such as construction of a visitor center, cultural park, ethnobotanical garden, and commercial taro ponds, have not been implemented, but there are plans for construction of a perimeter recreational trail (section 29) and enhancement of waterbird habitat (mentioned above) (City and County of Honolulu Department of Transportation Services, 2002; U.S. Army Corps of Engineers, 1998).*

Other conservation measures mentioned as proposed in the Application for Designation of Kawainui as a RAMSAR site included:

- *Ongoing public and environmental coalition requests to government agencies for complete water quality studies which include a chemical component. There is a need for limnological studies of not less than three years' duration, as proposed by Dr. Paul K. Bienfang's (Oceanic Foundation) pro bono study for the Lani-Lailua Outdoor Circle in 1974. (Available on request).*
- *Federal acquisition of Kawainui for National Wildlife Refuge purposes and/or critical wildlife habitat for Hawaii endangered waterbirds and aquatic species, and as a viable migratory wildfowl haven.*
- *Finally listing Kawainui in both the Hawaii and National Registers of Historic Places, declared eligible in July of 1979 but unlisted as yet.*



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Linda M.B. Paul, President  
Hawai'i Audubon Society  
850 Richards Street, Suite 505  
Honolulu, Hawai'i 96813

Dear Ms. Paul:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 17, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPEN) for the subject project. The Hawai'i Audubon Society has been added as a consulted party, and will receive a copy (CD) of the Draft EIS when published for review. Thank you for sharing background information on your organization and its mission.

We concur that the Kawainui-Hāmākua complex was designated as a Ramsar wetland of international importance for good reasons, and is one of several other large wetlands in the state, such as the James Campbell National Wildlife Refuge (1,100 acres). Hāmākua's wetland has been restored, and efforts are proposed to further expand and enhance that wetland. Kawainui's wetland is degraded, and the project's proposed improvements would support restoring the ecological character through wetland restoration and upland reforestation.

The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and regulatory requirements for public access and outdoor recreational opportunities. The Draft EIS includes more project information that addresses efforts to support educational programs, cultural practices, and stewardship opportunities with non-profit organizations.

These improvements are viewed as appropriate for this resource, and would not have a significant negative impact on the watershed or wetlands as discussed in the Draft EIS. Ramsar supports sustainable tourism, recreational use, and cultural practices within designated wetlands of international importance. Ramsar views sustainable tourism as maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability



issues. The project includes improvements (e.g. pedestrian trails, education center, etc.) for the public that support these aspects recognized under Ramsar.

The activities and support facilities proposed under this project are appropriate and cannot be conducted elsewhere. Pedestrian trails support public access at Kawainui, the education center supports visitors and programs, and areas designated for cultural practices have been located at appropriate upland sites within Kawainui. Non-profit organizations operating cultural centers are intended to support stewardship of their areas and conduct educational programs, and thus need to be appropriately located at Kawainui.

You state that DOFAW proposes to turn over restoration and management responsibility to private cultural organizations that have no scientific expertise, but that is not the plan. DOFAW will be the primary organization/agency in charge of restoration and management of Kawainui and Hāmākua. DOFAW is not turning over the responsibilities for wetland restoration and upland reforestation of Kawainui to non-profit organizations. DOFAW will continue to be responsible for, and will be implementing these improvements as discussed in the Draft EIS. Areas designated for cultural centers provide increased stewardship opportunities for non-profit organizations that would support DOFAW's efforts. Non-profit organizations have been involved with supporting such restoration efforts for many years and will continue to do so. Non-profit organizations involved in stewardship, curatorship, and other activities have been strong and committed partners with DOFAW and DSP. Restoration efforts, educational programs, and cultural programs already being conducted by non-profit organizations at Ulupō Heiau, Nā Pōhaku, the restoration ponds, and other project areas under curatorship agreements reflect their commitment, and are examples of successful stewardship partnerships with DOFAW and DSP.

The project includes various improvements supporting habitat enhancement, restoration efforts, creating more open water, etc. as discussed in the Draft EIS. Kawainui's water quality will always be a challenge because it receives discharges from streams and upland areas carrying water from off-site. However, the wetland is performing its function in filtering pollutants and serving as flood control protection. Historic sites would not be adversely impacted, and mitigative measures are identified, where necessary. Proposed site and facility improvements (e.g. trails, education center, observation decks) are intended to support managed public access by providing safe and secure areas to visit. These improvements would support providing a satisfied and meaningful experience for visitors, education programs, etc.

The project supports the four Ramsar criteria identified, and would actually make Kawainui and Hāmākua more consistent and reflective of its nominating criteria. The Draft EIS includes a discussion of the project's relation and consistency with Ramsar criteria and objectives. Project improvements would enhance Kawainui's function for flood control and water quality, improve habitat for endangered waterbirds, remove invasive vegetation overtaking the wetland, and improve aquatic resources by removing invasive vegetation and peat mat.



### Ramsar Convention on Wetlands and Kawainui's Designation

Thank you for the background information on Ramsar, and a summary of how Kawainui and Hāmākua meet the four Ramsar criteria that is based upon the Ramsar Information Sheet used to nominate this resource. It should be clarified that Kawainui consists of both wetland and dry upland areas, and that wetland areas only extend up to about the 5-foot elevation. The Draft EIS includes more information describing these wetland and upland areas for both Kawainui and Hāmākua. The document also discusses how project improvements continue to support and would be consistent with these four nominating criteria.

### Public Trust Resources

Thank you for the information on the state's public trust document. The project's conceptual plans proposed fully support the Public Trust Doctrine of the Hawai'i State Constitution, by conserving and protecting this natural resource for the benefit of present and future generations. Public benefits would further be achieved by providing managed public access to allow for the enjoyment of this resource by all. Improvements are intended to improve Hāmākua's wetland and restore Kawainui's wetland and upland areas that are consistent with managing this public natural resource. The project sets the framework for programming and implementing improvements thereby reducing uncertainty in the management and future use of this resource. Plans are also intended to promote the utilization of this resource in a sustainable and managed manner by providing public access and opportunities for educational programs and stewardship consistent with the conservation and development of resources under the Constitution. It also supports traditional and customary rights of native Hawaiian's for cultural purposes under Article XII of the State Constitution.

The EISPN includes sufficient information at this stage of the environmental review process on the ecological condition and significance of Kawainui and Hāmākua. Chapter 2 includes much information on proposed restoration and reforestation improvements, how habitat would be enhanced for waterbirds, and Chapter 3 discusses aquatic resources. The Draft EIS includes more information on restoration, reforestation, and habitat enhancement improvements for both waterbirds and aquatic resources. A biological study is also included that discusses existing aquatic resources in more detail, and how habitat would be improved by project improvements.

The Draft EIS includes information on waterbird habitat, and public access would not occur within central wetland areas that are important for waterbirds and nesting season. Management activities further address restricting visitors from important areas. In terms of wildlife, mammalian species already present are alien, with all of them being deleterious to native ecosystems. Feral cats and dogs are already present, and DOFAW has and would continue a predator control program to address mammalian species. Dogs would not be allowed within new areas proposed for public access, and this restriction will be implemented along the levee.

The Draft EIS discusses the various educational programs that would be supported by proposed improvements, such as pedestrian trails, restrooms, observation decks, etc. The Draft EIS does not need to develop actual research programs, because such programs would be developed with DOFAW and DSP over time with schools or organizations. Such programs can be developed



now separately from this project, and the Draft EIS discusses several such programs already occurring. The Draft EIS discusses wetland restoration efforts to create more open water and improved habitat.

#### Hydrology, Limnology and Water Quality

The Draft EIS includes information on the condition of the main streams flowing into both Kawainui and Hāmākua's wetlands, and a biological study is included addressing these streams. Kapa'a Stream's listing is also discussed. This information is sufficient to address the project's effect on those streams. However, DOFAW and DSP do not have jurisdiction or control over the flow of stream water for areas outside of this project area. The purpose for this project is not to change the flow of water from those outside areas, and project improvements do not include those areas. The Commission on Water Resources Management is the more appropriate agency to address your comments regarding those water allocations.

The project's purpose does not include cleaning up the quality of water within Kapa'a Stream from upland areas before discharging into Kawainui. DOFAW and DSP have no jurisdiction or control over what occurs within upland areas and the type of pollutants that may be discharged into that stream. Upland areas are either under the City's jurisdiction or are privately-owned, and therefore, it is inappropriate to develop plans to address discharges from their property. Those property owners have their own responsibility to address runoff from their sites. The Draft EIS does include information on Kapa'a Stream, including its listing as an impaired water, and addresses project effects. Furthermore, the wetland is performing its function in filtering pollutants from water discharged from this stream within Kawainui.

The drainage ditches along Kapa'a Quarry Road near the City's model airplane park are owned by the City. Therefore, any maintenance or vegetation clearing for them would need to be performed by the City.

A limnological study of Kawainui and Hāmākua's inland waters is not necessary for completion of the Draft EIS. There is sufficient information from technical studies conducted and information discussed in the Draft EIS to address project impacts on inland waters within Kawainui and Hāmākua and allow for objective evaluation of the project. Wetland restoration improvements would have a significant beneficial effect on Kawainui's wetland and ecology. Restoration improvements removing invasive vegetation and peat mat would have beneficial effects on aquatic resources based upon a biological study conducted and included in the Draft EIS. Other project improvements (e.g. education center, cultural centers, pedestrian trails) would not have a significant negative impact on these waters as discussed in the Draft EIS.

#### Recreational Activities

It should be clarified that passive recreational activity open to the general public is not being proposed within Hāmākua. Public access would be restricted, except for occasional cultural activities, educational programs, and community service learning projects that would be scheduled and coordinated through DOFAW. The types of passive outdoor recreational activity



proposed are low impact activities and uses occurring within upland areas, and include those types of activities you mention (e.g. bird watching, photography).

The application of the carrying capacity concept is somewhat flawed because it is derived from biological models of the capability of resources to sustain a given number of animals over a period of time in a particular place. This does not translate readily into the management of human recreational experiences. The carrying capacity concept is also viewed to be problematic in the sense that it implies that there is an absolute threshold of (for example) visitor numbers below which there is no or minimal impact. In addition, capacity in relation to one variable is only practically meaningful when related to other linked variables. For example, the number of visitors that can acceptably be accommodated within an area would be dependent on other factors such as the behavior of visitors, the age of the visitors, the applicability of support improvements (e.g. paths), quality of education material and guidance provided visitors, etc.

Projected visitors to Kawainui are at levels not expected to cause intolerable visitor experiences (e.g. overcrowding) or significant degradation of upland areas. Visitors would not be entering Kawainui's large wetland area or disturb endangered waterbirds, and access would be managed, such as providing viewing opportunities at designated observation sites (e.g. viewing platforms). Acceptable visitor levels under such a capacity concept could also be much higher than that projected, but that doesn't mean efforts would be taken by DSP and DOFAW to increase Kawainui visitors up to maximum desired levels, such as issuing commercial permits.

Rather than seeking to define the "correct" maximum capacity, a more feasible and practicable approach is to develop monitoring, planning, and management protocols based on levels of impact or changes that consider both the receiving environment and the visitor experience. Therefore, the level of acceptable change from these factors can be more appropriately evaluated. The management approach would be focusing on achieving objectives defined in terms of staying within maximum acceptable deviations, such as variation in ecological conditions, visitor experiences, etc. Management options and monitoring would be more practicable and feasibly implemented to evaluate whether the amount of change occurring can be tolerated, changes to visitor experiences and satisfaction, and when steps should be taken to prevent further undesirable changes. The management options discussed in the Draft EIS support these efforts.


The suggestion for creating an interactive website for persons who are not able to visit Kawainui is appreciated. Such an effort is not part of this project, but DOFAW and DSP can consider working with non-profit organizations in developing such a website in the future as part of educational programs. This would increase public awareness of Kawainui.

We understand your concerns and opposition to visitors to Kailua, and your subsequent opposition to changes that may attract more visitors to Kailua based upon your comments. However, a main focus of the project includes wetland restoration and reforestation improvements that would enhance habitat for endangered waterbirds. The project supports Ramsar objectives, agency missions, provides managed public access and outdoor recreation, and supports cultural practices. The interests of the entire State of Hawai'i need to be considered because Kawainui is a state resource of international importance for the entire public to enjoy.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



 David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



## Ronald Sato

---

**From:** Scott Ferguson <j.scott.ferguson@gmail.com>  
**Sent:** Monday, October 24, 2016 10:39 AM  
**To:** Ronald Sato  
**Cc:** Marigold.S.Zoll@hawaii.gov  
**Subject:** Kawainui-Hamakua Marsh Complex Plan EIS

I support conducting an Environmental Impact Study and support the Kawainui-Hamakua Marsh Complex Plan in its entirety because of the following invaluable educational, recreational, cultural, and environmental gains:

- The plan would accomplish restoration of the wetland ponds, thus opening up areas for endangered birds, fish, and estuary organisms.
- The master plan would enhance educational access and quality by providing education facilities, trails, and viewing platforms for hands-on learning experiences.
- The marsh plan recognizes that the Hawaiian presence, along with native Hawaiian cultural/educational centers at the marsh, is the key to its restoration and preservation, the continuation of educational and stewardship programs, and preservation of cultural sites there.

The plan confirms, not denigrates, this wetland and will restore it to some of its ancient preeminence. It has survived all the centuries of use, neglect and abuse, but still functions as a living organism, waiting to be restored to fuller utilization. It deserves to be shared, not fenced off, or relegated to secondary status. It deserves the respect and restorative efforts that the Kawainui-Hamakua Marsh Complex Plan provides and sanctions.

Three important things the Master plan fails to address are listed below. I believe the EIS should examine these factors as well.

1. Food sustainability and the potential to grow native foods in and around the marshes.
2. Establishment of minimum stream flows required to maintain the health of the marsh and its tributary streams as required by § 174C-71 protection of in-stream uses.
3. The need for US Army Corps of Engineers and DOFAW to construct an underground conduit passage for the flow of water from Kawainui into the Hamakua Canal to re-establish managed water flow, and improve the water circulation and health of Kaelepulu Stream.

Regards,  
Scott Ferguson  
46-064 Puulena St, #1026  
Kaneohe, HI 96744  
808-349-2750

SUBMITTED BY SUPPORTING HAWAIIAN AND COMMUNITY ORGANIZATIONS OF KAILUA

Ahahui Malama I ka Lokahi  
Conservation Council for Hawaii  
Halau Mohala Ilima  
Hika'alani  
Hui Kailua-Kawainui Ka Wai Ola  
Kailua Hawaiian Civic Club

Kailua Historical Society  
Pacific American Foundation

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**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
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ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. Scott Ferguson  
[j.scott.ferguson@gmail.com](mailto:j.scott.ferguson@gmail.com)

Dear Mr. Ferguson:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email dated October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPEN) for the subject project.

We appreciate your support of the conceptual plans proposed for the Kawainui-Hāmākua Master Plan project, and the Draft EIS will document the probable impacts associated with this project. We concur that the project's proposed improvements would support restoring the ecological character of Kawainui and Hāmākua through wetland restoration and upland reforestation.

Other improvements would support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), regulatory requirements for public access and outdoor recreational opportunities, and increase educational programs and stewardship opportunities. The plan recognizes Kawainui's importance to native Hawaiian culture, and provides non-profit organizations with an opportunity to establish a permanent presence to conduct cultural practices, educational programs, and participate in the stewardship of this resource and cultural sites. We concur that this resource of State importance should be shared with the public to facilitate education, cultural practices, and outdoor recreation.

We have the following numbered responses to your comments on the master plan.

1. DOFAW supports food security, food-forests and agroforestry. The Division has planted ulu and banana trees at Kawainui, and are open to other agroforestry efforts. Currently, lo'i kalo and other traditional crops are grown around Nā Pōhaku, Pōhakea, and Ulupō Heiau as a component of educational and cultural practices. The project's conceptual plans would support continuation of these activities, and also allow for such activities to be conducted at the cultural center planned at Kapa'a. However, larger scale agriculture or aquaculture production as part of food sustainability for the community or public needs to be balanced with the need to



protect and manage native wildlife species. Food production activities would be encouraged where appropriate, but will be limited in scope due to relatively limited land area and the need to manage native species as part of the mix. Activities considered commercial agricultural production that would conflict with native species' habitat restoration would not be compatible. Kawainui's wetlands are flood-prone, and intended to serve as habitat for endangered waterbirds as part of the State's wildlife sanctuary, both of which would conflict with larger scale agricultural production and activities.

2. The establishment of minimum stream flows to protect the public interest in State waters, as discussed in § 174C-71, Hawai'i Revised Statutes, aligns with DOFAW's mission to protect watersheds and native ecosystems, which include Kawainui's streams and tributaries. The establishment of permanent standards is determined on a stream-by-stream basis by the Commission on Water Resource Management (CWRM). The project does not need establishment of these standards as a means of achieving its agency mission or project objectives. Wetland restoration efforts to remove the invasive growth of vegetation is more pertinent to restoring the health of this resource, and to support its function for flood control. Restoration improvements are proposed to achieve these goals. The project does not include any diversions of water that could impact stream flow.
3. The permanent water flow restoration between Kawainui's wetland and Kawainui Stream (also known as Hāmākua Canal) traveling towards Hāmākua will not be included as part of this project. We understand that a 2015 planning study explored the possibility of restoring partial water flow from Kawainui's wetland into Kawainui Stream. DOFAW would be evaluating the results of this experiment and other possible implications to their wetland restoration efforts to determine if they would want to alter this water flow change in the future. Such a project would need to be coordinated with other government agencies, and appropriate environmental studies and permitting would be pursued at that time.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,


David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



TO: HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, Hawaii 96813  
ATTN: Mr. Ronald Sato

FROM: Bobbi Gail  
111 Hekili Street, #315  
Kailua, Hawaii 96734

October 10, 2016

Dear Mr. Sato:

We have been residents of Kailua since 1980. There are a lot of changes in our community, and for some time, we have been very concerned about the development of Kawainui Marsh, one of the last clear vistas on the horizon. Will you address some of our concerns?

Please consider that I wish to be a consulting party and have many questions that need answers before I can become comfortable with the possibility of compromising this beautiful pristine wetlands, the only Ramsar designated wetlands in the state of Hawaii. Like most places in these islands, many sites within the 900 acre marsh have history, archaeological and geographic history and significance. Does the master plan take into consideration the various aspects of these important attributes?

When Kawainui Marsh, Hamakua and Kaelepulu Pond (Enchanted Lake) were ocean bays and the first Polynesians came to the shores of the ancient Kawainui Lagoon, there were at least three sacred heiau constructed. They were environmentally sound, and carefully designed. Indigenous conservation efforts with the ancient Hawaiians and the fishpond and taro terraces thrived for centuries.

Is there any effort that will consider restoring these sites, this ancient lifestyle to demonstrate and go forward for the future? **How can we consider any new development without first mapping the ancient sites, recovering the adzes and other artifacts from the 12<sup>th</sup> century and perhaps earlier?**

Kawainui has suffered much degradation over many years. How could we consider any development, even along the peripheral boundaries before we restore the true and original state? We are worried that any kind of development will further add to the degradation that has already taken place. What about pollutants from the development entering the water.

How large a priority on the scale of the Master Plan allows for abundant pond restoration, bird sanctuaries and taro plantings? What is the time frame that this will take place?

Even with a clear decision to restore the ancient ponds, who will work these fields and where would the funds come from?

How will the archaeological sites be properly identified? How would the signage at Ulupo Heiau, (the only spot thus far in the 900 acres so identified) be displayed?

Will all the sites be accessible to persons with disabilities?

The parking lots now are often inadequate for YMCA members, visitors, church groups from nearby, and vans from Eco Tours like E Noa. Will there be a protocol for professional guides provided for tour groups as to where they can and cannot walk?

What about maintenance, just in the Ulupo Heiau area? Who will cut the weeds and prune the grasses? Right now, we only see occasional crews of women prisoners who seem to gain therapeutically from doing this service. But the resources and time allotted is small compared to the work to be done. Where would the manpower come from and who would pay the salaries? Even if there were a workforce of volunteers, which organization or government agency would be able to network and oversee? Would it be Federal or State Employees or both? How would this be coordinated? Who would decide the priorities of the work?

Why would there be an advantage of developing a site filled with Hawaiian history and culture to proceed to build without extensively surveying the history? Research has been scanty, and many years ago, but did indicate the presence of a Tahitian *marae* (sacred temple) and house sites within the marsh complex dating back to about 1200 A.D, well preserved in a bog-like complexity under the marsh. Several artifacts were discovered linking this to a specific Tahitian chief who voyaged from Tahiti at that time. Who will complete these studies?

Several years ago, I was horrified one morning to observe that sewer excavations were going on directly in front of Ulupo Heiau. When I called the State to inquire about whether this area had been explored for iwi or any other documentation, I was told by a puzzled female archaeologist that she “knew nothing about it,” and there had been no permission to dig up dirt, adjoining the heiau with big loaders irrespective of the historical importance and potential sacredness of the site. Are there some records of the excavation? Or any other findings or iwi from other random diggings?

Who would oversee any construction or modification for parking lots and clearing of trees? Are there unknown or unsurveyed village remnants in various areas within Kawainui Marsh, that in the haste to develop parking and visitor centers and walkways, might be forever destroyed before a proper survey could be done and documented?

We honor and want to preserve the Hawaiian cultural features of Kawainui, but there is far more research to be done to even survey the archaeological components.



In terms of the environment, the marsh should be protected in order to comply and keep the designation with Wildlife Habitat requirements as a Wetland of international importance. There are many other areas of contention that could be sited. Ecological balance does not seem to be a priority and there is little mention of the wildlife growing more rare.

We have seen homeless encampments gaining foothold in the marsh. How will this be dealt with?

Who is responsible for an eyesore stacking of old wood and coconut trunks, fronting the narrow trail up to *Na Pohaku o Hawahine*? The entrance and roadside looks awful, dead wood scattered along the roadside edges, an abandoned encampment of carelessly tossed tree trunks fronting Kapaa Quarry Road.

What about the birds? Sightings in their natural surroundings of the Hawaiian stilts and mudhens are becoming more rare, some are displaced from the marsh and migrating over to Kailua High School grounds looking for food!

Let us preserve the history and ecology of the Marsh. Surely there are many other areas of this island that could be more easily utilized to build a cultural complex for Hawaiian studies, smaller perhaps, but without compromising this fragile precious resource on the Windward side. Are there not other places available that might more considerate of the integrity of Kawainui?

Thank you for your time.

Sincerely,

Bobbi Gail

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
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AQUATIC RESOURCES  
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CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Bobbi Gail  
111 Hekili Street, #315  
Kailua, Hawai'i 96734

Dear Ms. Gail:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 10, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. You have been added as a consulted party, and will receive a copy (CD) of the Draft EIS when published for review. We offer the following responses to your comments.

We would like to clarify that the ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a very degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua. The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and regulatory requirements for public access and outdoor recreational opportunities. The Draft EIS discusses improvements and the condition of Kawainui's wetland in more detail.

Ramsar supports sustainable tourism, recreational use, and cultural practices within designated wetlands. Ramsar views sustainable tourism as maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (pedestrian trails, education center, etc.) supporting these aspects of sustainable tourism recognized under Ramsar, and facilities proposed are much smaller in scale than those occurring at many other Ramsar sites in the United States and other countries. Kawainui has history, cultural significance, etc. that have been considered and contributes to the conceptual plan improvements being proposed.



### Historic and Cultural Comments

There have been numerous archaeological studies conducted for Kawainui and the surrounding area over the decades, and these studies have documented the cultural history and use of Kawainui. Information on these prior studies are included in a new archaeological study conducted for this project that is included in the Draft EIS.

The three heiau referred to are Pahukini Heiau, Holomakani Heiau, and Ulupō Heiau. Both Pahukini and Holomakani Heiau are located outside the study area, well inland of Kapa'a Quarry Road. Ulupō Heiau and Pahukini Heiau have already been partially restored by clearing vegetation, and a non-profit organization conducts periodic tours to educate the public of them as part of their curatorship activities. Holomakani Heiau is located within privately-owned property. The Draft EIS documents known historic sites within the project site based upon the several prior studies, and their current field work, and addresses the project's effects on sites. The historic use of Kawainui for lo'i kalo, a fish pond, and later rice production are not appropriate for Kawainui's present situation. This wetland managed under DOFAW is for flood protection and waterbird habitat. The project does identify areas designated for the development of cultural centers that would be developed and operated by non-profit organizations to support cultural practices.

### Degradation, Scale, and Other Comments

As previously discussed, Kawainui has been degraded over the decades, and the project includes many efforts to restore both wetland and upland areas. The historic condition of Kawainui's upland has since changed over time. Restoration efforts are not intended to restore that, but provide a more reasonable effort to control invasive species and replace them with native vegetation. The Draft EIS discusses the project's effect on the environment, and mitigative measures are identified, if applicable. This includes best management practices, low-impact design elements, such as bioswales and bioretention areas, and other sustainability design concepts.

The Draft EIS discusses the extent of wetland restoration and upland reforestation improvements planned. Improvements address how the wetland habitat would be improved by such efforts for waterbirds, and how these resources would be managed. Information on the planned phasing of improvements over time are also discussed in the Draft EIS.

Currently, lo'i kalo and other traditional crops are allowed to be grown around Nā Pōhaku, Pōhakea, and Ulupō Heiau as a component of educational and cultural practices. The project's conceptual plans would support continuation of these activities, and also allow for such activities to be conducted at the cultural center planned at Kapa'a.

Wetland restoration and upland reforestation efforts would be implemented by DOFAW, and funding would come from the State Legislature.

Cultural preservation and stewardship is one of the major objectives of the project. Volunteer restoration efforts have been ongoing for nearly 30 years at Ulupō Heiau and Nā Pōhaku. The



concept plans support the continuation of these activities, and seeks to reestablish a native Hawaiian cultural presence at Kawainui. This will continue through partnerships and stewardship agreements between the State and non-profit partners. The intent is to facilitate the integration of cultural practice, education, and resource stewardship.

#### Ulupō Heiau and Other Cultural Related Comments

The archaeological study identifies the locations and includes descriptions of historic sites. Ulupō Heiau presently has several signs informing the public of this historic site along with several interpretive displays documenting its history for visitors to read while they view this site.

The education center planned would include accommodations for persons with disabilities. Certain segments of pedestrian trails planned may have accessibility accommodations, but hiking foot trails would not because of topography. At Ulupō Heiau, the steep slope makes it infeasible to provide accessibility accommodations beyond the viewing area by the parking stalls.

Five parking stalls within the rear parking lot of the Windward YMCA are assigned for visitors to Ulupō Heiau. These stalls are suitable to accommodate the number of average daily visitors, which is not significant (about 15 persons a day), and would not significantly change with the project. In partnership with DSP, a non-profit organization also has a staff person working at Ulupō Heiau on a daily basis as a curator providing stewardship, oversight of activities, and managing educational programs. Commercial tours are not permitted at Ulupō Heiau unless permitted by DSP, and DSP would not be issuing such permits under this project.

A non-profit organization has a curatorship agreement with DSP to provide stewardship of Ulupō Heiau. This includes restoration activities and maintenance activities of the area, for which this organization along with others have been conducting there for many years. Under the curatorship agreement, this non-profit organization is authorized to manage, schedule, and conduct restoration activities along with educational and cultural programs using volunteers, in coordination with DSP.

As previously discussed, there have been numerous archaeological studies conducted for Kawainui and the surrounding area, and these studies have documented the cultural history, use of Kawainui, and identified historic sites. No house sites or temple have been identified under the wetland. The only sites encountered within the wetland have been historic walls from former lo'i use within with the restoration ponds that are discussed in the Draft EIS. Only wetland restoration would occur within the wetland along with some sections of boardwalk for the pedestrian trail. Archaeological monitoring would likely be required for these boardwalk sections to minimize potential effects.

We are not aware of any records of sewer line excavations that have occurred in front of Ulupō Heiau. There are no existing sewer lines routed in front of Ulupō Heiau. There are no reported iwi found within the Ulupō Heiau area. However, you may be referring to prior work the Windward YMCA performed within their property to convert from cesspool to a septic tank system.

### Parking Lots Construction Comments

DOFAW and DSP would be responsible for overseeing the construction of parking lots within their jurisdictional areas of Kawainui. This includes the removal of vegetation as necessary, which consist of non-native invasive vegetation. There are no known village remnants in the areas planned for parking areas. The education center site is disturbed having been previously used as a ranch site for many decades. Pedestrian trails would generally follow existing trails and should not negatively impact historic sites. Some sections of the trail, along the Kūkanono subdivision hillside, would likely have follow-up field work for its route design and archaeological monitoring to avoid existing known sites in that area.

The Draft EIS discusses the many archaeological studies that have already conducted for this project area.

### Ramsar, Homeless, and Other Remaining Comments

As already discussed, the project includes improvements supporting Ramsar objectives that support sustainable tourism, recreational use, and cultural practices within designated wetlands. These improvements along with wetland restoration efforts would improve Kawainui's current condition to better serve its wetland of international importance designation.

Areas designated for facilities within upland areas have been determined based upon ecological and other factors to minimize effects on the environment. Most areas planned for use are already disturbed having been historically used for ranching, City baseyard, etc. The Draft EIS discusses wildlife present at Kawainui, and the project's effect on them.

DOFAW effectively removes homeless encampments within Kawainui, and appreciates support from the community in identifying and notifying them of such camps and issues. Project improvements include efforts to create partnerships with non-profit organizations to increase stewardship opportunities of areas and help monitor activities occurring. DLNR's Division of Conservation and Resources Enforcement (DOCARE) is responsible for security and enforcing regulations on state property, including the prohibition on illegal camping, and will coordinate with DOFAW and DSP on activities.

The entrance of Nā Pōhaku was created by the non-profit organization serving as curator's of the site, and has been conducting native reforestation improvements there for many years. Your opinion of the appearance of that entrance is noted.

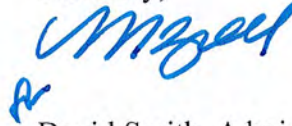
In terms of wildlife, wetland restoration efforts are intended to improve habitat for endangered waterbirds because Kawainui's present condition does not provide suitable habitat. The vast majority of birds present at Kawainui are alien species and common to Hawai'i. Mammalian species present are alien with all of them being deleterious to native ecosystems.



The project includes several improvements that support the history of Kawainui, and minimizes effects on the environment. This cultural history of Kawainui is one of the reasons for designating areas that can be used to develop cultural centers for non-profit organizations to conduct educational programs and cultural activities. These centers are not expected to have a significant impact on the environment or integrity of Kawainui, and organizations present there would increase stewardship opportunities to support management and maintenance of areas.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



## Ronald Sato

---

**From:** Gretchen Gould <gretchen.gould@stanfordalumni.org>  
**Sent:** Wednesday, October 19, 2016 10:24 AM  
**To:** Ronald Sato; Marigold.S.Zoll@hawaii.gov; Sen. Laura Thielen; Donna Wong; Cynthia Thielen; replee@Capitol.hawaii.gov; The Outdoor Circle; Catherine Wilson; Mary Yannell; Kathy Martin; Kathy Whitmire; gretchen Gould; Edna Shoup; Cheryl Goody; Mary Gomes; Barbara; Cindie Ogata; Alexandra Avery; Mayor; Governor.Ige@Hawaii.gov  
**Subject:** Kawainui Marsh comments

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

### KAWAINUI MARSH comments:

Dear HHF Planners, Mr. Mayor, Mr. Governor, Hawaii State agencies and other interested organizations,

Kawainui Marsh has been important to the Windward side of Oahu since its being. It performs many necessary environmental functions such as drainage, purification, etc. Hopefully you have done your homework on these issues.

It served important cultural functions for the Hawaiians with their all important taro, an important food source, and other cultural activities.

Some of these have served as an excuse for some in the Hawaiian community to promote unnecessary and invasive new additions to the marsh.

The marsh, like other important natural features on our island, belongs to all races and all ages through time and into the future. Therefore the Hawaiian argument should not necessarily be the preeminent one. All things and people should be considered: the main one being the preservation of the Marsh itself.

Modern buildings, tourists, too many visitors, and lots of parking do NOT serve this purpose!!

I encourage you NOT to allow any of those. A few practical things, such as a hula mound might be OK. Some parking is OK. NO BUS PARKING should be allowed. This is a natural resource that can easily be ruined. Let's not wait until after that happens to try to shut the barn door. I know we are a tourist economy, but we are rapidly ruining the very things that tourists purport to come see.

I would like to reiterate a quote from a Kailua resident in previous testimony:

"If, as DLNR says, the plan is not a development plan, then please remove the development elements.

Continue the excellent work now being done on wetland restoration and upland reforestation, and the stewardship and onsite learning activities that do not require modern structures.

Consider rebranding Kawainui-Hamakua (Marsh) as a "restoration-recreational" opportunity rather than a visitor destination.

Visitors and locals who want access to protected sites could sign waivers and participate in water quality testing, stream clean up, erosion control or the planting and harvesting of taro. The goal of restoration cannot be reached in a day or even a decade - perhaps a century will be needed - but it should be the long-term goal, and the current plan should do nothing to preclude it."

Please, please think of the Marsh, its functions, its history, its reason for being, and its future before you let unknowing, unfeeling people push you to make a mistake that will be forever.

This is an important decision and should be made erring on the side of preservation. NO "DEVELOPMENT"!!

Mahalo,

Gretchen Gould

Kaneohe (Neighborhood Board, AAUW, Senate aide, Outdoor Circle, Kaneohe Bay Regional Council chair, and long-time active community volunteer)

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DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
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JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Gretchen Gould  
[Gretchen.gould@stanfordalumni.org](mailto:Gretchen.gould@stanfordalumni.org)

Dear Ms. Gould:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email dated October 19, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We understand Kawainui very well along with its functions having worked on this resource for many years. We concur that Kawainui also has a significant history and cultural importance to the native Hawaiian community. However, we don't view this cultural history as being an excuse for some improvements proposed as you state. Areas designated for use as cultural centers would be developed and operated by non-profit organizations. It would serve as a place where culture can be practiced, customs and traditions studied, taught, and shared with others, etc., and creates stewardship opportunities to support and management and maintenance of areas at Kawainui. The Draft EIS discusses these cultural centers in more detail and addresses the impacts that may be associated with them.

We agree that Kawainui should be available to all, and plans include improvements to increase public access to upland areas in a managed manner. We also believe that this objective is best achieved through an approach that also includes educational programming, passive outdoor recreation, and cultural practices.

We would like to clarify that the ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a very degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua. The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and regulatory requirements for public access and outdoor recreational opportunities.



We understand the concerns and general opposition you have with the level of visitors to Kailua, and changes that may attract more visitors to Kailua. The Draft EIS discusses the background associated with this issue, which is attributable to several items such as Kailua's renowned beaches and ocean recreational activities.

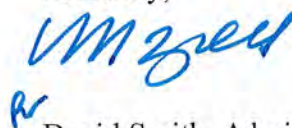
Ramsar supports sustainable tourism, recreational use, and cultural practices within designated wetlands of international importance. Ramsar views sustainable tourism as maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (pedestrian trails, education center, etc.) supporting these aspects of sustainable tourism recognized under Ramsar. In keeping with the Ramsar's "wise use" philosophy, project improvements proposed support ongoing and new stewardship activities and opportunities, and provides opportunities for the public to experience and learn about the wetland areas through trails, viewing platforms, and an education center.

A hula mound would be used for cultural practices, but would only occur as part of a cultural center developed. The only parking areas open to the public would be at the education center at Pōhakea, a Kahanaiki parking area, and at the Kawainui State Park Reserve, Kalāheo site. Other parking areas would be restricted by DOFAW as part of management activities, but could be occasionally open to the public for authorized functions (e.g. community service project). Commercial tour buses would not be allowed to use the parking lots, unless they are issued a permit by DSP or DOFAW, and no such permits are proposed under this project. Buses for programs would be allowed at the education center parking lot, and areas would be provided to accommodate a bus. The other two parking areas would not have pull-off areas for bus parking, therefore, schools would need to coordinate with DOFAW or DSP in the scheduling of educational programs.

In summary, we believe that we share the same long-term goals for the project area as you. However, rather than viewing the trails, educational and cultural facilities as "invasive additions," we see them as part of an overall, comprehensive, and long-term strategy to improve public access, allow everyone to enjoy this state resource, and ensure the stewardship of this resource into the future.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



*DS*  
David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

## Ronald Sato

---

**From:** Les Haldane <leshaldane@gmail.com>  
**Sent:** Sunday, October 16, 2016 4:02 AM  
**To:** Ronald Sato  
**Cc:** marigold.s.zoll@hawaii.gov  
**Subject:** Kawainui-Hāmākua Master Plan Project

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Thank you for the opportunity to comment on the plan.

In general, I support the plan. Wetlands are a treasure, and should be preserved and shared with everyone.

As a priority, the marshes need to be unclogged so that they can serve their primary purpose as a natural filtering system and a home for indigenous vegetation and wildlife.

As a second priority, the marshes should be opened up for controlled public access. People need to have an easy way to get exercise and enjoy this natural wonder without major impact. For the most part, the plan accomplishes this. However, I would suggest that most of the pathways be bicycle-friendly. This would make them accessible to more people from the local area, and lessen the need for vehicle parking. There also needs to be a safe way for pedestrians and bicyclists to cross Kailua Road at Hamakua. This would serve as a connection between the two marshes, and would decrease the need for vehicular traffic.

The cultural and educational aspects can come over time. The plan is very ambitious, with many different stakeholders and no clear means of funding. The plan should focus on the first two priorities, while allowing for the other aspects as the marsh is revived and public interest grows.

Regards,  
Les Haldane

--

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DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
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1151 PUNCHBOWL STREET, ROOM 325  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. Les Haldane  
[leshaldne@gmail.com](mailto:leshaldne@gmail.com)

Dear Mr. Haldane:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email dated October 16, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project

We appreciate your general support for the plan, and agree with the importance of wetlands that should be shared with everyone. As indicated, the ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua. The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and federal requirements under the Land and Water Conservation Act for public access and outdoor recreational opportunities.

We concur that public access is another important priority and regulatory requirement, thus, the project includes improvements supporting this in a managed way. There is now only limited public access for educational opportunities, and this does not meet the growing interest by local schools, organizations, etc. for participating in educational programs. Improvements proposed would support this by providing areas for program-related bus loading and unloading, restrooms for students to use, and shaded rest areas or pavilions to gather. The Draft EIS includes more information on public access improvements and proposed management activities.

Unfortunately, we need to clarify that the new pedestrian trails would not allow bicyclists at this time. The levee would continue to allow bicyclists. These pedestrian and foot trails would be designed to accommodate pedestrian use. To accommodate bicyclists, a multi-purpose path would instead need to be designed that requires different design standards to ensure safety and separation for multiple users.



There are crosswalks with pedestrian signals at the signalized intersection of Kailua Road with Hāmākua Drive for pedestrians and bicyclists to use to safely cross. As a result, changes to address improving the safety of that intersection would more appropriately need to be determined by the State and City agencies with jurisdiction over those roadways.

Development of the cultural centers would be funded and implemented by non-profit organizations. Construction of the education center could be funded and implemented by DSP or by a non-profit organization selected to build and operate that facility. Improvements implemented by DOFAW and DSP would be subject to funding appropriations from the Legislature. The Draft EIS includes information on proposed phasing of improvements over time along with estimated construction costs.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

## Ronald Sato

---

**From:** Melinda Hamm <mshamm.hi@gmail.com>  
**Sent:** Thursday, October 20, 2016 4:00 PM  
**To:** Ronald Sato  
**Cc:** Marigold.S.Zoll@hawaii.gov  
**Subject:** Kawainui

HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, Hawai'i 96813  
Ronald A. Sato, AICP, Senior Associate

Dear Sir,

I wish to be a consulted party and have the following comments:

As a 35 year resident of Kailua I have witnessed the changes to our wonderful little town. Nothing good! It's gross commercialization of our land and water. It's disgusting.

About Kawainui, my greatest concern is the chipping away of the borders of the wetland. How can putting all of these buildings, parking lots, and tourist attractions be healthy for the water? It's interesting that there is little in the master plan about water quality. This is one of the VERY few open spaces remaining. What about our green zone around Kailua?

The plans have no provision for infrastructure to support this traffic increase, no provision for oversight and protection, and no way to fund these initiatives without developers sticking their hands in. If you doubt the adverse impact of thousands of people on a place, just drive into Maunawilli and head up the Falls trail. The same issues that plaguing that area threatens the marsh if developed rather than preserved. The private entity (golf course), C&C, and State (DLNR) spend their time pointing fingers and saying....not my kuleana. Regrettably, for Kawainui, I see land grabs and profiteering rather than preservation.

The plan renderings are supposedly to support an education center. Based on the size, it appears to exceed "school aged student" use....so who else is going to be educated? If you want to be educated, come to Ke Kahua O Kualii and be educated on how to maintain lo'i, restore native vegetation, and engage in cultural practices, hand stacking rock walls, building/thatching hale.....not sitting in a classroom watching a video...

I understood the rules say no commercial activities, but the same is true for the beaches.....and the tour busses continue as well as Segway guided tours and drive-by, drop off tourist destination for "snorkel with the honu". The EIS document on the web link says development of educational and RECREATIONAL initiatives....if it walks like a duck and talks like a duck, I will bet it smells like a duck.

What type of conservation includes building buildings, bathrooms, walking paths, parking lots with bus parking and bus stops? That's a funny way of preserving something. Did anybody anticipate that 13 telescopes would not be enough on Mauna Kea? Or that Haunama Bay would become so popular? Now's the time to capture lessons learned and tell you what we want at Kawainui. NO development!

Sincerely,

Melinda Hamm

1030 Alahaki Street

Kailua, HI 96734

[mshamm.hi@gmail.com](mailto:mshamm.hi@gmail.com)

--

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DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
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JEFFREY T. PEARSON, P.E.  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Melinda Hamm  
[Mshamm.hi@gmail.com](mailto:Mshamm.hi@gmail.com)

Dear Ms. Hamm:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email dated October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. You have been added as a consulted party, and will receive a copy (CD) of the Draft EIS when published for review.

We understand the concerns and general opposition you have with the level of visitors to Kailua, and changes that may attract more visitors to Kailua. The Draft EIS discusses the background associated with this issue, which is attributable to several items, such as Kailua's renowned beaches and ocean recreational activities.

We would like to clarify that the ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a very degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it and reducing open water areas. The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua. The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and regulatory requirements for public access and outdoor recreational opportunities. The Draft EIS discusses improvements and the condition of Kawainui's wetland in more detail.

Ramsar supports sustainable tourism, recreational use, and cultural practices within designated wetlands. Ramsar views sustainable tourism as maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (pedestrian trails, education center, etc.) supporting these aspects of sustainable tourism recognized under Ramsar. The Draft EIS discusses the project's effect on water quality and other environmental areas.



Kailua has several open space areas available, which include the many parks, renowned beaches, and hillsides. Kawainui serves as another large open space area, however, it is currently not available for the public to enjoy as access is predominantly restricted. As a result, the project would improve public access in a managed manner to allow the public to enjoy viewing wildlife and this resource, support educational programs and activities, increase stewardship opportunities, and support cultural practices. Kawainui would continue to serve as a large open space resource outside of Kailua town.

The Draft EIS includes more information on infrastructure requirements to serve improvements. This includes a traffic impact study to address the vehicle impacts at major intersections around Kawainui.

The Draft EIS includes more information on public access improvements, proposed activities to manage visitors, and proposed phasing of improvements and estimated construction costs. Private commercial development of areas is not allowed, and DOFAW and DSP would be responsible for implementing improvements. Areas designated for use as cultural centers would be developed and operated by non-profit organizations in coordination with these agencies, and support increased stewardship of areas.

Regarding Maunawili Falls, the lack of an available parking area for visitors, no restrooms, and ownership of access areas by a private landowner are key elements contributing to resident complaints. The Kawainui-Hāmākua project is a different situation because it includes designated parking areas (e.g. education center) and restrooms for visitors to use, and would be managed by DOFAW and DSP.

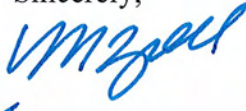
As discussed in the EISPN, the education center would support visitor orientation at Kawainui, support operations and management of activities within the Kahanaiki to Pōhakea area, and support educational programs. The kauhale complex planned as part of the education center at Pōhakea would complement educational and cultural programs for both visitors and students. DSP would likely enter into an agreement with a non-profit for operation and management of both the education center and kauhale complex.

The Draft EIS includes more discussion of proposed improvements, activities, and management of areas. No commercial visitor activities are planned to be permitted within Kawainui. DSP can authorize commercial activities by permit, along with DOFAW under the wildlife sanctuary regulations (up to 100 commercial visitors per day), however, permitting such commercial activities are not planned under this project.

Finally, we understand your opposition to visitors to Kailua, however, the project is planned to address increased public access in a managed manner. As discussed earlier, Kawainui is not a pristine resource needing conservation, but a degraded resource that needs restoration. Increasing stewardship opportunities with non-profit organizations created by improvements proposed would also support efforts to manage, maintain, and provide increased surveillance of areas and activities occurring. The Draft EIS discusses the project's effects on the environment in more detail.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

  
A handwritten signature in blue ink, appearing to read 'D. Smith', is written over the word 'Sincerely,'.

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



Vernon Hinsvark  
42 Palione Place  
Kailua, HI 96734  
Email: [verno@hawaii.rr.com](mailto:verno@hawaii.rr.com) (808) 295-4603

State of Hawai'i  
Division of Forestry and Wildlife  
Department of Land and Natural Resources  
ADDRESS: P.O. Box 621  
Honolulu, Hawai'i 96809  
CONTACT: Ms. Marigold Zoll, O'ahu Forestry and Wildlife Manager  
Email: [Marigold.S.Zoll@hawaii.gov](mailto:Marigold.S.Zoll@hawaii.gov) (808) 973-9787

**CC:**

HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, Hawai'i 96813  
CONTACT: Ronald A. Sato, AICP, Senior Associate  
Email: [rsato@hhf.com](mailto:rsato@hhf.com) (808) 457-3172

10/14/2016

Re: Kawainui-Hamakua Master Plan Project

**I wish to be a consulting party and have the following comments and questions answered.**

I am very concerned that a document detailing a Plan of this of this importance, concerning a Marsh that has received a Ramsar designation, does not even include the word "Marsh" in the title. This oversight may seem small to you but speaks volumes to the seemed intent of this plan.

Considering the importance of this Marsh, there are few details about the restoration of the Marsh after decades of neglect. The plan is greatly increasing access to the Marsh, which will increase the stress on the fragile environment.

Indeed, this appears to be a development plan more than a restoration plan. Where are the safeguards for the sanitary issues? Where are the concerns for traffic problems? Where are the concerns for the wildlife? There are so many more details that are not included in the Plan. What are the procedures to choose the vendors for all of the concerns that will gain access to the Marsh through this plan?

**How will the Public Trust Doctrine be honored?**

I have a large job to oversee what you are planning and I am just beginning. We need a Master **Restoration and Preservation** Plan for Kawainui Marsh.

Again: **I wish to be a consulting party.**

Thank you.

Vernon Hinsvark

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

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NOV 24 2017

Mr. Vernon Hinsvark  
42 Palione Place  
Kailua, Hawai'i 96734

Dear Mr. Hinsvark:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your email received on October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. You have been added as a consulted party, and will receive a copy (CD) of the Draft EIS when published for review.

We appreciate your comments about the naming of the project, however, the word "Marsh" doesn't need to be included in the project title. The Draft EIS identifies the Kawainui Marsh Wildlife Sanctuary and indicates the abbreviated reference to this used in the document is Kawainui.

The EISPN included much information discussing the need for restoration efforts along with a description of proposed restoration and reforestation improvements. A major focus of the project is natural resource management activities that include wetland restoration, upland reforestation, storm water runoff improvements, and improvements supporting State DLNR, Division of Forestry and Wildlife (DOFAW) operations. The Draft EIS includes more information describing these restoration efforts.

The ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a very degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua. The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, DOFAW and Division of State Parks (DSP), and regulatory requirements for public access and outdoor recreational opportunities. The Draft EIS discusses the effects of proposed improvements on the environment.



The proposed project addresses both restoration efforts along with other improvements to support agency missions, increased public access, passive outdoor recreation, and opportunities for increased educational programming, stewardship of areas, and cultural practices. The Draft EIS addresses project effects from wastewater and solid waste generated from activities. A traffic impact study is also included addresses project effects on major intersections around Kawainui. A study is also included on wildlife that shows the vast majority of birds present at Kawainui are alien species and common to Hawai'i. Mammalian species present are alien with all of them being deleterious to native ecosystems.

The EISPN included much information on proposed improvements, and the Draft EIS includes additional project information and details. DOFAW and DSP are looking to increase partnerships with non-profit organizations to support stewardship of areas, curatorship opportunities to supplement management activities, and educational programs for project areas that support their agency missions. Areas designated to support cultural practices would be constructed and operated by non-profit organizations selected through the State's open and competitive procurement process, such as a Request for Proposals solicitation. This may also include the education center, if not constructed and operated directly by DSP.

The project's conceptual plans proposed fully support the Public Trust Doctrine of the Hawai'i State Constitution, by conserving and protecting this natural resource for the benefit of present and future generations. Improvements are intended to improve Hāmākua's wetland and restore Kawainui's wetland and upland areas that are consistent with managing this public natural resource. The project's master plan sets the framework for programming and implementing improvements reducing uncertainty in the management and future of this resource. Plans are also intended to promote the utilization of this resource in a sustainable and managed manner by providing public access, educational programs, and stewardship consistent with the conservation and development of resources under the Constitution. It also supports traditional and customary rights of native Hawaiian's for cultural purposes under Article XII of the State Constitution.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



## Ronald Sato

---

**From:** Kirstin Hochart <kirstin00@aol.com>  
**Sent:** Monday, October 24, 2016 5:40 PM  
**To:** Ronald Sato  
**Cc:** Marigold.S.Zoll@hawaii.gov  
**Subject:** Kawainui-Hamakua Master Plan Project EISPN

Aloha,

Thank you for the opportunity to review and comment on the Kawainui-Hamakua Master Plan Project EISPN.

I have reviewed the Kawainui-Hamakua Master Plan, and have the following comments in support of the EISPN process:

- A plan for environmental preservation and educational opportunities needs to be supported.
- Our children, the environment and educational opportunities are being valued by this Plan.
- State Legislature needs to increase funding for DLNR and gather support for this Plan.
- The Kailua Neighborhood Board has misconstrued the intentions of the Plan and has scared Kailua Residents into believing inaccurate conspiracies regarding the Plan, causing hysteria in our community. The Plan does not have any intentions to have a tour bus depot or any intentions to inundate the Marsh with tourists now or in the future at any time.
- Kailua residents would be fortunate to have an environmental and cultural education center for our children. My children have learned invaluable amounts of information about our environment and culture at The Hawaii Nature Center, Ho'omaluhia State Park Buildings, and more. The benefits of the plan for an environmental education and culture center far out-weigh the minimal impacts of a green (LEED Certified) building and pervious parking lot along Kapa'a Quarry Road (Dump Road). Also, the proposed bio-swales proposed by the Plan will help to improve runoff in the area.
- Finally, the proposed Plan is needed in order to conduct preservation and restoration work in the area. Again, the Kailua Neighborhood Board has created a conspiracy by stating inaccuracies regarding the proposed Plan and has frightened our community with an incorrect number of proposed "buildings" in the Plan. The proposed "buildings" are mainly small tool sheds and plant nurseries for volunteers working in the area to support restoration work, which would be a minimal impact to the environment and would actually support restoration work beneficial to the environment. Currently, when volunteers work at the Marsh, tools have to be loaded up and personally transported to the area along with buckets of water to water the plants there. In addition, bathrooms are needed and should be supported because in order to bring volunteers and school groups for educational excursions bathrooms are required

and a necessity. The “pavilions and staging areas” are natural gathering spaces designed for students and volunteers. Not for tourists. The "parking lots” are sustainable pervious parking lots, which will actually work to help mitigate runoff and erosion along the perimeter of the Marsh and are for school groups and volunteers. Not for tourists.

Thank you,  
Kirstin Hochart  
Environmental Planner, MURP

--

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DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

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LAND  
STATE PARKS

NOV 24 2017

Kirstin Hochart  
[Kirstin00@aol.com](mailto:Kirstin00@aol.com)

Dear Ms. Hochart:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email dated October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPEN) for the subject project.

We appreciate your support and comments as part of the environmental review process. The ecological character of Kawainui is of a degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua. The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), providing managed public access, passive outdoor recreational opportunities, and opportunities for increased educational programming, stewardship of areas, and cultural practices.

We similarly believe that both students (children) and adults would benefit from improvements planned to support educational programming and community service learning projects. Funding from the State Legislature is important for the implementation of improvements over time, and we agree increased funding would greatly support DOFAW and DSP efforts.

We concur that misinformation on the project has been spread throughout the community, and the actions of some Kailua Neighborhood Board members have contributed to this situation. Another issue is people developing opinions while not understanding the project well because they have not reviewed the Draft Master Plan that was revealed in community meetings held by the Hoolaulima organization. Information on community issues are discussed in the Draft EIS.



We similarly believe the education center would benefit students and adults with educational programs, and serve as a center for managing activities within the Kahanaiki to Nā Pōhaku area similar to what the Hawai'i Nature Center and Ho'omaluhia Botanical Garden visitor center accomplish.

DOFAW and DSP already participate in the Hoolaulima organization that is comprised of all major community organizations in Kailua, and plan to continue participating in meetings held by that organization to share information and updates on Kawainui. Areas designated for cultural centers would support educational and cultural programs for all, and increase stewardship of areas. These facilities are intended to incorporate low-impact design elements, such as bioswales and bioretention areas, and other sustainability design concepts and pervious surfaces to minimize effects on the environment.

We concur that possible misrepresentations on buildings or structures planned under the project have also contributed to some of the community's misunderstanding of the project. Thank you for addressing some of this, and clarifying that proposed "buildings" also consist of small tool sheds, plant nurseries, restrooms, and parking shelters to support restoration work, public access, educational programs, and cultural practices. We believe the more important consideration of proposed structures is their purpose and the type of activities they would be supporting. As you indicated, bathrooms are needed along with staging areas and shelters to support educational programs, especially for students to provide some relief out of the elements (e.g. rain, sun).

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

# HUI KAWAINUI-KAILUA KA WAI OLA

(The working group who cares for the living waters in Kawainui-Kailua)

October 17, 2016

HHF Planners

733 Bishop Street, Suite 2590 Honolulu, Hawaii 96813

Ronald A. Sato, Senior Associate

Aloha Mr. Ronald Sato,

I'm Chuck Burrows, chair of Hui Kawainui-Kailua Ka Wai Ola, a newly formed working group for the past year and a half which seeks to bring the diverse Kailua community groups together and seek the "common grounds" where we can work cooperatively to support the Kawainui-Hamakua Complex Master Plan. We all support the conservation and ecological values of protecting and restoring the quality and quantity of the fresh waters that flow from the Kailua watershed into the wetlands of Kawainui and Hamakua and eventually into Kailua Bay. We all support the protection, conservation and restoration of habitats for wildlife animals (aquatic, native and migratory fowl) and native plants that exist in the wetlands, streams and waterways.

We all support the Hawaiian sacred sites in this ahupua'a of Kailua and the Hawaiian traditional practices, restoration and educational projects conducted on the State DLNR- DOFAW and State Parks lands. We however disagree on the establishment of the facilities and its infrastructures and linking trails as proposed by the draft Kawainui-Hamakua complex Master Plan. This will then be the focus of an Environmental Impact Statement plan to address these concerns to enable a "Hawaiian Presence" in the Ramsar Wetlands of International Importance to educate our local school and community groups as well as invited visitors nationally and internationally on how the early Hawaiians were able to use and manage their watershed ecosystem productively and sustainably for over a thousand years as the first stewards of Malama and Aloha 'Aina.

We of the Hui Kawainui-Kailua Ka Wai Ola support conducting an Environmental Impact Study and support the Kawainui-Hamakua Marsh Complex Plan in its entirety because of the following invaluable educational, recreational, cultural, and environmental gains:

- \*The plan would accomplish restoration of the wetland ponds, thus opening up areas for endangered birds, fish, and estuary organisms.

- \*The master plan would enhance educational access and quality by providing education facilities, trails, and viewing platforms for hands-on learning experiences.

- \*The marsh plan recognizes that the Hawaiian presence, along with native Hawaiian cultural/educational centers at the marsh, is the key to its restoration and preservation, the continuation of educational and stewardship programs, and preservation of cultural sites there.

The plan confirms, not denigrates, this wetland and will restore it to some of its ancient preeminence. It has survived all the centuries of use, neglect and abuse, but still functions as a living organism, waiting to be restored to fuller utilization. It deserves to be shared, not fenced

off, or relegated to secondary status. It deserves the respect and restorative efforts that the Kawainui-Hamakua Marsh Complex Plan provides and sanctions.

Four important things the Master plan fails to address are:

1. Food sustainability and the potential to grow native foods in and around the marshes and
2. Establishment of minimum stream flows required to maintain the health of the marsh and its tributary streams as required by § 174C-71 protection of instream uses.
3. US Army Corps of Engineers and DOFAW need to construct an underground conduit passage for the flow of water from Kawainui into the Hamakua Canal to re-establish managed water flow, and improve the water circulation and health of Kaelepulu Stream.
4. A greater emphasis at the Kalaheo-Oneawa site formerly the Kawainui Gateway Park for school groups to conduct estuary science and cultural studies in relationship to the Kaha Park Xeriscape native plant garden. There should be a pavilion, restrooms and parking area for school busses as was proposed on the 2002 Kawainui Pathway Plan.

Please add to Kawainui-Hamakua Complex Master Plan of Agencies and Organizations to be consulted the name of Hui Kawainui-Kailua Ka Wai Ola. We are in the process of developing a document of our mission and vision statement, goals and objectives for this community working group.

Mahalo,

Charles K. Burrows, Ed.D.

Hui Kawainui-Kailua Ka Wai Ola, Chair

<chuckkb@gmail.com>



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
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DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
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KAHOOLAWE ISLAND RESERVE COMMISSION  
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NOV 24 2017

Dr. Charles K. Burrows, Chair  
Hui Kawainui-Kailua Ka Wai Ola  
[chuckkb@gmail.com](mailto:chuckkb@gmail.com)

Dear Dr. Burrows:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email dated October 17, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. The Hui Kawainui-Kailua Ka Wai Ola organization has been added as a consulted party, and will receive a copy (CD) of the Draft EIS when published for review.

Thank you for sharing background information on your organization, the various ecological, cultural, and educational values, and efforts to bring the diverse community groups of Kailua together to seek common ground on issues associated with this project. We appreciate your organization's support of the conceptual plans proposed for the Kawainui-Hāmākua Master Plan project, and the Draft EIS will document the probable impacts associated with this project.

We concur that the project's proposed improvements would support restoring the ecological character of Kawainui and Hāmākua through wetland restoration and upland reforestation. Other improvements would support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), regulatory requirements for public access and outdoor recreational opportunities, and increase educational programs and stewardship opportunities. The plan recognizes Kawainui's importance to native Hawaiian culture, and provides non-profit organizations with an opportunity to establish a permanent presence to conduct cultural practices, educational programs, and participate in the stewardship of this resource and cultural sites. We concur that this resource of State importance should be shared with the public to facilitate education, cultural practices, and outdoor recreation.

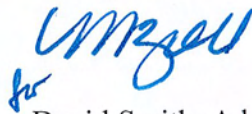


We have the following numbered responses to your comments on the master plan.

1. DOFAW supports food security, food-forests and agroforestry. The Division has planted ulu and banana trees at Kawainui, and are open to other agroforestry efforts. Currently, lo'i kalo and other traditional crops are grown around Nā Pōhaku, Pōhakea, and Ulupō Heiau as a component of educational and cultural practices. The project's conceptual plans would support continuation of these activities, and also allow for such activities to be conducted at the cultural center planned at Kapa'a. However, larger scale agriculture or aquaculture production as part of food sustainability for the community or public needs to be balanced with the need to protect and manage native wildlife species. Food production activities would be encouraged where appropriate, but will be limited in scope due to relatively limited land area and the need to manage native species as part of the mix. Activities considered commercial agricultural production that would conflict with native species' habitat restoration would not be compatible. Kawainui's wetlands are flood-prone, and intended to serve as habitat for endangered waterbirds as part of the State's wildlife sanctuary, both of which would conflict with larger scale agricultural production and activities.
2. The establishment of minimum stream flows to protect the public interest in State waters, as discussed in § 174C-71, Hawai'i Revised Statutes, aligns with DOFAW's mission to protect watersheds and native ecosystems, which include Kawainui's streams and tributaries. The establishment of permanent standards is determined on a stream-by-stream basis by the Commission on Water Resource Management (CWRM). The project does not need establishment of these standards as a means of achieving its agency mission or project objectives. Wetland restoration efforts to remove the invasive growth of vegetation is more pertinent to restoring the health of this resource, and to support its function for flood control. Restoration improvements are proposed to achieve these goals. The project does not include any diversions of water that could impact stream flow.
3. The permanent water flow restoration between Kawainui's wetland and Kawainui Stream (also known as Hāmākua Canal) traveling towards Hāmākua will not be included as part of this project. We understand that a 2015 planning study explored the possibility of restoring partial water flow from Kawainui's wetland into Kawainui Stream. DOFAW would be evaluating the results of this experiment and other possible implications to their wetland restoration efforts to determine if they would want to alter this water flow change in the future. Such a project would need to be coordinated with other government agencies, and appropriate environmental studies and permitting would be pursued at that time.
4. Improvements proposed for the Kawainui State Park Reserve, Kalāheo site include a pavilion, restrooms and parking. It would also include a hale wa'a constructed and maintained by a non-profit organization that includes space (lanai, meeting room) envisioned to support cultural and educational programs related to the sport of canoeing and ecology. The Draft EIS discusses this site in more detail which includes the type of educational and cultural programs that can be conducted there.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

A handwritten signature in blue ink, appearing to read "DSmith", with a small "for" written below it.

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners





## KAILUA URBAN DESIGN TASK FORCE

24 October 2016

HHF Planners

733 Bishop Street, Suite 2590

Honolulu, Hawai'i 96813

ATTN: Ronald A. Sato, AICP, Senior Associate

SUBJECT: Kawainui-Hāmākua Master Plan Project EISPN

Aloha Mr. Sato:

Thank you for the opportunity to review the subject EISPN. The Kailua Urban Design Task Force (KUDTF) respectfully submits this letter as comments we would like to be addressed in the EIS. KUDTF is a non-profit, volunteer organization with 501(c)(3). KUDTF's mission is to create, assist, coordinate and implement urban design strategies for Kailua's Central Business District.

Our areas of concern center on the adjacency of Kailua town's central business district with Hāmākua – Pu'uoeahu Subarea, specifically the: 1) trail on Pu'uoeahu Hill; 2) a "nature walk" along the town side of Hāmākua /Kawainui Stream; and 3) a connectivity route to Kawainui from Hāmākua and Kailua Town.

1. We strongly advocate that the pedestrian trails at Pu'uoeahu Hill be re-considered for public use. The trail on Pu'uoeahu Hill would provide a wonderful recreational opportunity, fabulous views and, in keeping with DLNR's mission, educational opportunities for locals and visitors. A trailhead at DLNR's maintenance road, which was in previous plans, is recommended, as is public use of the loop (maintenance) trail up to and along the ridge and back down to the trailhead. The trail should be open during daylight hours only. A small parking lot (10-15 vehicle capacity), composting restroom facility, and interpretive signage should be provided at the trailhead.
2. A "nature walk" along the town side of Hāmākua /Kawainui Stream has been in the early stages of conceptual design for several years, including by our organization and the Kaneohe Ranch Foundation. The concept is to provide a trail between the businesses and the stream that could provide protected pedestrian and bicycle access, along with educational opportunities of Hāmākua Marsh.
3. We strongly advocate that a connection from the Pu'uoeahu Hill trail to Kawainui be re-considered for public use. Connectivity between these two areas would continue a region-wide trail system providing fantastic educational and recreation opportunities.

We recognize that all of these elements bring management costs with them, as well as concerns regarding public access and wildlife conservation. Our organization would be committed to assisting in any way possible to bring these concepts to fruition and to maintain their legacy.

Please add KUDTF to your list of agencies and organizations to be consulted.

Mahalo –

Kevin Butterbaugh, Chair

Kailua Urban Design Task Force



# KAILUA URBAN DESIGN TASK FORCE

- cc:
- (1) KUDTF Board of Directors
  - (2) Ms. Marigold Zoll, O‘ahu Forestry and Wildlife Manager  
State of Hawai‘i  
Division of Forestry and Wildlife  
Department of Land and Natural Resources
  - (3) Representative Chris Lee
  - (4) Representative Cynthia Thielan
  - (5) Senator Laura Thielan

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. Kevin Butterbaugh, Chair  
Kailua Urban Design Task Force  
146 Hekili Street, Suite 202  
Kailua, HI 96734  
kevinbkailua@gmail.com

Dear Mr. Butterbaugh:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your letter dated October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. Thank you for sharing background information on your organization and its mission. Your organization has been added as a consulted party, and will receive a copy (CD) of the Draft EIS when published for review.

We have the following responses numbered to correspond to your numbered comments that are associated with the Hāmākua-Pu‘uoeahu subarea.

1. The pedestrian trails planned at Pu‘uoeahu are intended to serve DOFAW restoration and management activities within this area, and access to this area would thus continue to be restricted from the public. Pedestrian trails along the hillside of Pu‘uoeahu would have the potential to provide a very scenic view of the coastline and support passive outdoor recreation. However, DOFAW’s objective for this area is as a restricted wildlife sanctuary. Kawainui is the designated area for supporting public access and pedestrian trails, and would be more manageable with the education center, DOFAW’s management station, participation by the State DLNR, Division of State Parks, and involvement of non-profit organizations at various areas around Kawainui supporting stewardship and monitoring of areas. In addition to educational and cultural programs conducted at Hāmākua, DOFAW is open to having occasional scheduled community events managed by staff that would allow the public to visit Hāmākua and Pu‘uoeahu following designated trails.
2. A pedestrian trail between the Kawainui Stream and businesses along Hāmākua Drive is not included with this project because Hāmākua is intended to continue being a restricted wildlife sanctuary. The narrow strip of land along DOFAW’s eastern boundary of



Kawainui Stream is also not wide enough to accommodate an improved pedestrian trail. DOFAW is open to participating in your organization's efforts in establishing this trail within the privately-owned property because management of that trail's access and responsibilities by the property owners to maintain it would be of interest to DOFAW. We note that a path to also accommodate bicyclists would likely require a multi-purpose path that requires different typical design standards to ensure safety and separation for multiple users.

3. Connectivity between Pu'uoeahu hillside's maintenance trails and Kawainui's publicly accessible trails is not proposed under this project because this Hāmākua-Pu'uoeahu area is planned to continue being restricted from public access. As discussed in our response to item No. 1, such trails would provide improved recreational opportunities, however, only Kawainui has been designated for public access and pedestrian trails at this time.

We appreciate your organization's understanding of the management issues, maintenance, and costs for such a pedestrian trail that needs to be balanced with wildlife objectives and resource management.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

## Ronald Sato

---

**From:** david kaminskas <davidkaminskas@yahoo.com>  
**Sent:** Thursday, October 20, 2016 3:22 PM  
**To:** Ronald Sato; Marigold.S.Zoll@hawaii.gov  
**Subject:** Kawainui-Hamakua Marsh Complex Plan

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Aloha

I am writing to express my SUPPORT for conducting an Environmental Impact Study regarding the Kawainui-Hamakua Marsh Complex Plan in its entirety because of the following invaluable educational, recreational, cultural, and environmental gains:

\*The plan would accomplish restoration of the wetland ponds, thus opening up areas for endangered birds, fish, and estuary organisms.

\*The master plan would enhance educational access and quality by providing education facilities, trails, and viewing platforms for hands-on learning experiences.

\*The marsh plan recognizes that the Hawaiian presence, along with native Hawaiian cultural/educational centers at the marsh, is the key to its restoration and preservation, the continuation of educational and stewardship programs, and preservation of cultural sites there.

The plan confirms, not denigrates, this wetland and will restore it to some of its ancient preeminence. It has survived all the centuries of use, neglect and abuse, but still functions as a living organism, waiting to be restored to fuller utilization. It deserves to be shared, not fenced off, or relegated to secondary status. It deserves the respect and restorative efforts that the Kawainui-Hamakua Marsh Complex Plan provides and sanctions.

Three important things the Master plan fails to address are:

1. Food sustainability and the potential to grow native foods in and around the marshes and
2. Establishment of minimum stream flows required to maintain the health of the marsh and its tributary streams as required by § 174C-71 protection of instream uses.
3. US Army Corps of Engineers and DOFAW need to construct an underground conduit passage for the flow of water from Kawainui into the Hamakua Canal to re-establish managed water flow and improve the water circulation and health of Kaelepulu Stream.

Mahalo,

David A. Kaminskas, MD  
111 Mokumanu Drive  
Kailua, Hawaii

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DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
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CONSERVATION AND COASTAL LANDS  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Dr. David A. Kaminskis  
111 Mokumanu Drive  
Kailua, Hawai'i 96734  
[davidkaminskis@yahoo.com](mailto:davidkaminskis@yahoo.com)

Dear Mr. Kaminskis:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your email dated October 20, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISP) for the subject project.

We appreciate your support of the conceptual plans proposed for the Kawainui-Hāmākua Master Plan project, and the Draft EIS will document the probable impacts associated with this project. We concur that the project's proposed improvements would support restoring the ecological character of Kawainui and Hāmākua through wetland restoration and upland reforestation.

Other improvements would support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), regulatory requirements for public access and outdoor recreational opportunities, and increase educational programs and stewardship opportunities. The plan recognizes Kawainui's importance to native Hawaiian culture, and provides non-profit organizations with an opportunity to establish a permanent presence to conduct cultural practices, educational programs, and participate in the stewardship of this resource and cultural sites. We concur that this resource of State importance should be shared with the public to facilitate education, cultural practices, and outdoor recreation.

We have the following numbered responses to your comments on the master plan.

1. DOFAW supports food security, food-forests and agroforestry. The Division has planted ulu and banana trees at Kawainui, and are open to other agroforestry efforts. Currently, lo'i kalo and other traditional crops are grown around Nā Pōhaku, Pōhakea, and Ulupō Heiau as a component of educational and cultural practices. The project's conceptual plans would support continuation of these activities, and also allow for such activities to be conducted at the cultural center planned at Kapa'a. However, larger scale agriculture or aquaculture production as part of food



sustainability for the community or public needs to be balanced with the need to protect and manage native wildlife species. Food production activities would be encouraged where appropriate, but will be limited in scope due to relatively limited land area and the need to manage native species as part of the mix. Activities considered commercial agricultural production that would conflict with native species' habitat restoration would not be compatible. Kawainui's wetlands are flood-prone, and intended to serve as habitat for endangered waterbirds as part of the State's wildlife sanctuary, both of which would conflict with larger scale agricultural production and activities.

2. The permanent water flow restoration between Kawainui's wetland and Kawainui Stream (also known as Hāmākua Canal) traveling towards Hāmākua will not be included as part of this project. We understand that a 2015 planning study explored the possibility of restoring partial water flow from Kawainui's wetland into Kawainui Stream. DOFAW would be evaluating the results of this experiment and other possible implications to their wetland restoration efforts to determine if they would want to alter this water flow change in the future. Such a project would need to be coordinated with other government agencies, and appropriate environmental studies and permitting would be pursued at that time.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,


David Smith, Administrator  
Division of Forestry and Wildlife

---

cc: Ronald Sato – HHF Planners

## Ronald Sato

---

**From:** Mike Kelso <mikekelso@me.com>  
**Sent:** Saturday, October 22, 2016 6:47 AM  
**To:** Ronald Sato  
**Cc:** Marigold.S.Zoll@hawaii.gov  
**Subject:** Kawainui-Hmamkua Master Plan Project EIS

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

To:

Ronald A. Sato, AICP, Senior Associate  
HHF Planners  
733 Bishop Street, Ste 2590  
Honolulu, HI 96813  
808-457-3172

Copy to:  
State of Hawai'i  
Division of Forestry and Wildlife  
Department of Land and Natural Resources  
P O Box 621  
Honolulu, Hawai'i 96809  
Ms. Marigold Zoll, Oahu forestry and Wildlife Manager  
808-973-9787

Good morning All:

Thank you for the opportunity to add my responses to the Master Plan EIS.

I have reviewed the Summary of Public Comments Draft Master Plan(May 2014) dated August 19,2016.

I have two areas of concern as I review the comments:

1. Concerning Administration. The answers provided do not appear to me to be adequate. My concern is the potential for creeping commercialization of the Marsh and the potential for lackluster or incompetent management. I am not impugning the intent of the various organizations involved. I am mindful and respectful of the many interests involved. However, I do not see how those interests will be orchestrated and focused to look out for the best interests of this natural wildlife area and the ability of future generations to quietly enjoy its natural beauty. Once the natural beauty, character, and ecological functionality is lost through mismanagement, inappropriate use or over use, it's gone for good.

I think the people and their organizations are the weak link in this plan. The best physical planning cannot thwart people's capacity to misuse funds, to properly maintain, or control, and to administer this wildlife area. Can there be more clear information in the EIS which defines how the area is to be administered? Not just naming the stake holders. But concretely reveal how the various interests will be organized and structured to protect the area from people, from their greed, from their poor judgement, poor choices, and from blatant political manipulation. The State DLNR and

other high level organizations should clearly define the independence of those controls put in place to protect the wildlife area in perpetuity from people's misuse and the whims of people in power.

2. Concerning the Airplane Park. Personally, while I know this activity is popular and has long been established at its location, I cannot think of a less appropriate activity in an area dedicated to Hawaiian culture, wildlife and bird habitat. Please reconsider removing this activity from the plan. With drones as today's the new toy of choice, and with drone flying contests, how can such activities be considered compatible with this area given the human penchant for play, and our feelings of entitlement justifying it, regardless of environmental appropriateness or outright damage it causes? What controls are planned to contain the overuse and impact of this activity? Has anyone considered what happens to the birds when drones dive bomb nesting or flying birds because people think its fun?

Thank you for including my input to the EIS

Mike Kelso

25 South Kalaheo Ave  
Kailua, Hawaii 96734

808-291-4944

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DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
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JEFFREY T. PEARSON, P.E.  
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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. Mike Kelso  
[mikekelso@me.com](mailto:mikekelso@me.com)

Dear Mr. Kelso:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email sent October 22, 2016 providing comments the subject project. Your email states that your comments are based upon review of the Summary of Public Comments Draft Master Plan (May 2014) that was dated August 2016, but you would like them included in the Environmental Impact Statement (EIS). We have the following responses to your comments, however, that summary of public comments is not part of the EIS Preparation Notice (EISPN). The EISPN includes more information on the project being studied in this EIS process, as some project concepts have been modified since that 2014 Draft Master Plan report.

Concerning Administration

The project does not support the potential for “creeping commercialization” as there are no commercial uses for visitors included, as discussed in the EISPN. DOFAW and DSP do not intend to have lackluster or incompetent management of Kawainui, and the Draft EIS discusses the various management practices and options proposed to support their effective management of areas with increased public access. The project provides opportunities for DOFAW and DSP to increase partnerships with non-profit organizations to support stewardship of areas, curatorship opportunities to supplement management activities, monitoring of activities occurring, and increasing educational programs. The Draft EIS includes more information addressing management of areas and these stewardship opportunities.

We would like to clarify that the ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. Hāmākua’s wetland has had restoration improvements and efforts there are focused on expanding habitat and providing support facilities for its management (e.g. tool shed). In terms of wildlife, wetland restoration efforts are intended to improve habitat for endangered waterbirds because Kawainui’s present condition does not provide suitable habitat. The vast



majority of birds present at Kawainui are alien species and common to Hawai'i. Mammalian species present are alien, with all of them being deleterious to native ecosystems.

The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua. The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and federal requirements for public access and outdoor recreational opportunities. The Draft EIS includes more project information that addresses management concerns for public access, and efforts to support educational programs, cultural practices, and stewardship opportunities with non-profit organizations.

Ramsar supports sustainable tourism, recreational use, and cultural practices within designated wetlands. Ramsar views sustainable tourism as maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (e.g. pedestrian trails, education center, etc.) for the public that support these aspects recognized under Ramsar.

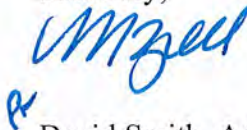
We view the non-profit organizations that would be involved in stewardship, curatorship, and other activities as not being a weak link, but rather a strong and committed partner with DOFAW and DSP. The restoration efforts, educational programs, and cultural programs already being conducted by non-profit organizations at Ulupō Heiau, Nā Pōhaku, the restoration ponds, and other project areas under curatorship agreements reflect their commitment, and are examples of successful stewardship partnerships with DOFAW and DSP. There is no misuse of State DLNR funds for these efforts that are conducted by volunteers of these non-profit organizations, and DOFAW and DSP appreciate the improvements they've made and management of areas from their efforts. The Draft EIS discusses how areas would be managed. DOFAW and DSP also do not have such a negative perception of the intent of these non-profit organizations as you indicate based upon their past experiences.

#### Concerning Model Airplane Park

The model airplane park is property owned, constructed by, and managed by the City and County of Honolulu (City). This airplane park is not part of the project as discussed in the EISPN, and DOFAW and DSP have no jurisdiction over its use and activities. Your comments concerning activities at this model airplane park should more appropriately be addressed with the City.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

## Ronald Sato

---

**From:** Mary King <lanikaimary@msn.com>  
**Sent:** Wednesday, October 19, 2016 9:05 PM  
**To:** Ronald Sato  
**Subject:** Kawainui

The less cement and paving and building the better! This marsh should remain open and not just a new tourist destination! Let's take our time on any "improvements" ...for the next generation.

Sent from my iPad

This message has been scanned for viruses and dangerous content using Worry-Free Mail Security and is believed to be clean.



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
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KAHOOLAWE ISLAND RESERVE COMMISSION  
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STATE PARKS

NOV 24 2017

Ms. Mary King  
[lanikaimary@msn.com](mailto:lanikaimary@msn.com)

Dear Ms. King:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your email dated October 19, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPEN) for the subject project.

The ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua. The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and federal requirements under LWCF for providing public access and outdoor recreational opportunities. The Draft EIS includes more project information, phasing implementation, addresses management with public access, and efforts to support educational programs, cultural practices, and stewardship opportunities with non-profit organizations.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Smith", is written over a blue ink stamp that reads "David Smith, Administrator".

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planner

HHF Planners  
Attn: Ronald A. Sato, AICP, Senior Associate  
733 Bishop Street, Suite 2590  
Honolulu, HI 96813

State of Hawai'i  
Division of Forestry and Wildlife  
Department of Land and Natural Resources  
Attn: Marigold Zoll, O'ahu Forestry and Wildlife Manager  
P.O. Box 621  
Honolulu, HI 96809

Public comments on the EISPN for Kawainui-Hamakua Master Plan Project

Aloha kakou,

I have grave concerns about the decisions and proposals contained in the EISPN. **All questions are noted in bold type face.**

2. Currently, much of the world's open space and natural habitat are under threat of development. In past community meetings as noted in the HHF master plan update, Appendix A-1 of the Master Plan (2014), pg. 4 states 78% of the attendees expressed their #1 wish and concern for the wetland is management which is "generally referred to as restoration, preservation, or protection of the marsh. Types of actions referenced were stewardship, removal of garbage and invasive plants, ethnobotanical and cultural restoration, and lo'i and loko l'a". On page 19, 53% of the respondents stated "no cultural center: and 54% said "no education center". Despite a majority of attendees stating opposition to modern buildings in the wetlands, the presence of construction persists. **How does this plan address the #1 concern for the public?**

a. Significant Criteria response #1: HH&F states, "The project is not expected to result in the loss or destruction of the project area's natural or cultural resources." As noted in the wetland master plan, there will be 66 acres of this wetland "developed". The character and number of buildings, parking lots and infrastructure varies widely, which brings concerns about the extent of the proposed project.

Question: **How many buildings with foundations are envisioned? How many square feet of parking lot? How much "space" will be lost to the wetland from this development?**

b. As the struggle in North Dakota persists, the indigenous people are gathering as "Water Protectors" against developers who threaten clean water sources. The historical documents indicating the size of the watershed demonstrates clear evidence the borders of the watershed are being constantly pushed by human desires. **WATER IS LIFE! At what point, will the encroachment of development effectively kill the watershed as a source for native habitat?**

c. Significant Criteria Response #4: "However, with the provision of new permanent structures, trails and pathways, it is likely that more people would visit the project area. Concerns have been raised by community members about the potential effects from more visitors and tourists to the area, unwanted commercial activity, and increased vehicular traffic, all of which could affect the economic and social welfare of the community." It is unlikely this scope of project will not have a large and long-

lasting effects from unwanted commercial activity, increased vehicular traffic, and negative impacts on the social welfare of the community. **Other than stating this “could” happen, what alternatives will be addressed to reduce the likelihood of these negative impacts?**

d. Significant Criteria Response # 7 & 8: “The project should not result in substantial degradation to the quality of the surrounding environment.” And “This project should not have a significant cumulative effect on the environment or involve a commitment for larger actions.” Stating this “project” is small in comparison to the size of the wetland is an irrational and entirely insufficient response. There is a huge difference between restoration/preservation and development. **What alternative plans have been presented to significantly reduce the impact of humans on the wetland? What alternative locations are available to create an education center and other public support structures which would not require permanent buildings within the wetland borders?**

e. Significant Criteria Response #11: “The project area is an environmentally sensitive area which includes the largest freshwater wetland in the state, and has been designated a Wetland of International Importance by the Ramsar Convention”. **Why does this plan indicate permanent structures being placed in an environmentally sensitive area?** This plan seems to encourage development. **Why does this plan encourage more development rather than focusing on preservation of existing wetland?**

On page 1-20, HH&F note the presence of the Corps of Engineers flood wall being used by the public. “The approximately 1.3- mile levee is used daily as a pedestrian and bicycle path by the public, although it wasn’t specifically designed to serve this function.” There is, at times, heavy use by the public including notation on several social media sites as a “great way to experience nature”. The wall road is littered with trash and broken bottles. As there are no trash receptacles, pedestrians drop their garbage at the entry points, which blows into the wetland. **If this small area is not maintained, how can a larger area be managed without significant resources?** The “permanent presence of Native Hawaiian groups” does not equate to constant presence nor responsibility for maintenance of the area. **How will erosion caused by overuse/misuse by the public be addressed by this proposed plan?** Merely stating the number of visitors will be limited is ineffective without presence of enforcement agents.

Page 2-3 “Increasing public access and allowing some passive outdoor recreational use is needed to comply with agency missions and regulatory requirements”. **Explain how this plan will allow “some passive outdoor recreational use”.** At numerous BLNR, DOFAW, and community meetings, it is glaringly apparent the State resources (DNLR) are woefully underfunded and undermanned to maintain any semblance of control. In effect, opening up Kawainui will sign its death warrant by overuse/misuse. **What controls will be placed to ensure “some” use?**

Page 2-6: “Many stakeholders and community members who participated in the master plan process expressed a desire to establish a permanent Hawaiian cultural presence at Kawainui and expand stewardship activities.” There are community groups and non-profits engaged in restoration efforts. **How will a “permanent presence” benefit the public?** From what I read in the proposed plan, a single group is lobbying for control of this sacred and sensitive space. **How is this in keeping with the intent of benefiting the public? How will this entity be funded to undertake conservation efforts? Who will decide which agencies/organizations can conduct stewardship activities?** As this time, BLNR executes volunteer agreements with non-profits to conduct stewardship/restoration activities. **If an external agency/organization is given authority and oversight, how will they be regulated?** It seems this plan is not trustworthy, and highly vulnerable to commercialization.



I certainly agree efforts must be launched to preserve and restore the wetland, but I see very little in this proposed plan to meet the needs of the wetland and its inhabitants. Again, I will say, "Water is LIFE". Our future generations depend on today's actions to ensure future enjoyment of a sacred and sensitive area. I urge a full stop of any plans of this nature. Focus on preserving and restoring, not development.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'DK', written over a horizontal line.

Deborah Kissinger, D.O., Ph.D.

P.O. Box 1931

Kailua HI 96734

[doktorkissinger@gmail.com](mailto:doktorkissinger@gmail.com)

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

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ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAIHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Dr. Deborah Kissinger  
P.O. Box 1931  
Kailua, Hawai'i 96734

Dear Dr. Kissinger:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter sent October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. The responses provided correspond to your numbered comments and questions indicated in bold print.

We understand the concerns and general opposition you have with visitors to Kailua, and changes that may attract more visitors to Kailua based upon your comments and questions. The Draft EIS discusses the background associated with this issue, which is attributable to several items, such as Kailua's renowned beaches and ocean recreational activities. In addition, to proposed restoration efforts, the project includes improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), regulatory requirements for public access and outdoor recreational opportunities, increasing stewardship opportunities, and supporting educational programs and cultural practices.

2. Proposed improvements address the need for wetland restoration as referenced in your comments. The ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a degraded resource that needs wetland restoration and upland reforestation to address the expansive invasive vegetation overtaking it and reducing open water areas. The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua in the form of wetland restoration and upland reforestation that were discussed in the EISPN, and are further discussed in the Draft EIS. Chapter 3 of the Draft Master Plan report (May, 2014) discusses the planning process and framework implemented in developing conceptual plans for this project. This process included obtaining public input as part of several public informational meetings, agency and stakeholder meetings, etc. Public input represents one element



of this process along with other factors such as regulatory requirements, project needs, and assessment of existing conditions. Stewardship opportunities would be created as part of project improvements, which include areas designated for cultural centers. Educational programming would be supported by an educational center and other accessory improvements (e.g. bathrooms, shelter). The appendices of the Draft Master Plan report summarizes and includes information on the results received from considerable public input. Development of the project's conceptual plans considered input received over the entire planning process (discussed in Chapter 3 of the master plan report), and not just survey responders attending a particular public meeting. In addition, the state needs to consider the interests of the entire State of Hawai'i because Kawainui is a state resource of international importance for all.

- 2.a. It should be clarified that Kawainui consists of both wetland areas and surrounding upland areas as discussed in Section 1.4 of the EISPN. The 66 acres referenced in your comments are not wetland, but part of larger upland areas planned for program activities as discussed in Chapter 2 of the EISPN. There are no buildings or facilities proposed to be constructed within the wetland.  
The design of buildings would be determined at the time improvements are implemented by DOFAW, DSP, and non-profit organizations developing cultural centers. Buildings could be designed using post and pier construction or concrete foundations. The type of foundation design for such buildings would have minimal effect on the overall environment. Similarly, the final size (acres or square feet) of parking areas developed would be determined during the design phase, when implemented. The Draft EIS includes information on parking areas and proposed number of stalls.
- 2.b. The Draft EIS addresses the hydrology and watershed serving the project site. Proposed improvements would not kill the watershed serving Kawainui and its habitat. Wetland restoration efforts are intended to improve habitat for endangered waterbirds because Kawainui's present condition does not provide suitable habitat. The vast majority of birds present at Kawainui are alien species and common to Hawai'i. Mammalian species present are alien with all of them being deleterious to native ecosystems. The Draft EIS discusses impacts on wildlife and waterbird habitat in greater detail.
- 2.c. The project does not include commercial development for visitors. Proposed improvements should not have a significant negative impact on the social welfare of the Kailua community, and the Draft EIS discusses this issue in more detail. The Draft EIS includes a traffic impact analysis report that addresses the project's impact on major intersections around the Kawainui project area. The Draft EIS includes discussion of various management alternatives available to DOFAW and DSP to manage visitor activities at Kawainui. Hāmākua would not have issues with visitors because access would continue to be restricted by DOFAW, with the exception of authorized educational programs, activities, etc.
- 2.d. The discussions relative to significance criteria No. 7 and 8 of the EISPN do not make comparisons of the size of the project to the size of Kawainui's wetland. Again, it should be clarified that Kawainui consists of both wetland areas and surrounding dry upland areas. No construction of buildings or facilities would occur within the wetland. The Draft EIS discusses other alternatives that were considered, and



proposed conceptual plans reflect modifications to initial plans in the Draft Master Plan report to reduce potential impacts and support management of activities within upland areas. Overall, projected visitors and activities should not have a significant impact on the wetland.

It should be noted that Ramsar supports sustainable tourism, recreational use, and cultural practices within designated international wetlands of importance. Ramsar views sustainable tourism as maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (e.g. pedestrian trails, education center, etc.) supporting these aspects recognized under Ramsar. Other Ramsar sites do have well-designed education and visitor centers to support these objectives, and the proposed facility at Kawainui would be of a much more modest scale than others.

The education center would not be located within the wetland as discussed in the EISPN. Alternative locations for the education center within upland areas of Kawainui were considered. Only certain sections of the pedestrian trails would include boardwalk across some wetland area, and a few observation decks could extend across a portion of the wetland to enhance visitor experience and student educational programs. These types of accessory improvements are common at several park sites and wildlife refuges.

- 2.e. Please refer to response to 2.d. regarding Ramsar, which explains why an education center is planned within upland area that was formerly used as a ranch site for many years. Areas designated for cultural centers are also within upland areas, one of which was a former City baseyard facility. These centers would support cultural practices and educational programs, and provide stewardship opportunities to assist DOFAW with the management and maintenance of areas consistent with Ramsar. As previously discussed in response to No. 2, upland areas are not pristine or environmentally sensitive areas, but areas needing much reforestation to address the expansive growth of invasive species that has overtaken it. Proposed conceptual plans do not encourage more development. Project plans include a large amount of wetland restoration and upland reforestation improvements due to its existing degraded condition that should not be preserved or continued. Other program-related improvements support the other project need and objectives, such as public access, outdoor recreation, and cultural practices.

Your concerns with the levee are noted, and DOFAW is in the process of implementing changes to activities allowed. If necessary, DOFAW can restrict access onto the levee for use by the public. Similarly, the Draft EIS discusses the management options and alternatives available to manage increased public access. This includes identifying additional staff needed to support managing activities, and not allowing public access within areas until DOFAW and DSP are able to effectively manage areas.

Non-profit organizations developing and operating areas designated for cultural centers would be responsible for the stewardship and maintenance of their areas. Non-profit organizations involved in stewardship, curatorship, and other activities would be strong and committed partners with DOFAW and DSP. Restoration efforts, educational programs, and cultural programs already being conducted by non-profit organizations at Ulupō Heiau, Nā Pōhaku, the restoration ponds, and other project



areas under curatorship agreements reflect their commitment, and are examples of successful stewardship partnerships with DOFAW and DSP.

The Draft EIS addresses the effects of potential erosion occurring from visitors. Significant erosion impacts are not expected to occur because pedestrian trails would have a pervious surface (e.g. grass, gravel), and trails would not be steep as compared to hiking trails along ridges and cliffs.

At Kawainui, the State DLNR, Division of Conservation and Resources Enforcement (DOCARE) would be responsible for regulations enforcement. DOCARE would work in coordination with DOFAW, DSP, and non-profit organizations managing facilities, to monitor and support management activities.

Page 2-3. The Draft EIS includes discussion of passive outdoor recreational use planned along with projected visitor levels. The Draft EIS discusses the management options and alternatives available to address increased public access. Additional staff needed to support managing activities are discussed, and other options include not allowing public access within areas until DOFAW and DSP are able to effectively manage areas. Opening up areas for public access would occur in phases as improvements are implemented, and DOFAW and DSP would monitor activity levels before deciding on whether to increase access to other areas.

Page 2-6. The Draft EIS discusses the cultural centers and activities in more detail. Activities include coordinating with DOFAW and DSP in participating in educational and cultural programs and activities open to the community, students, etc. at these cultural centers. These activities, along with increased stewardship of areas to manage and maintain areas, etc. all benefit the public and support restoration of Kawainui. There is no single group lobbying for control of Kawainui. Many organizations have provided input supporting increasing public access and opportunities to establish cultural centers. DOFAW and DSP are looking to increase partnerships with non-profit organizations to support stewardship of areas, curatorship opportunities to supplement management activities, and cultural practices and educational programs that support their agency missions. Areas designated to support cultural practices would be constructed and operated by non-profit organizations selected through the State's open and competitive procurement process, such as a Request for Proposals solicitation.

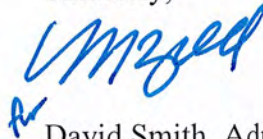
DOFAW and DSP are open to more curatorship and partnerships with non-profit organizations to support their agency missions, restoration activities, educational programs, etc. which don't involve development of the education center or cultural centers. Schools, community organizations, etc. are able to consult with DOFAW and DSP about establishing such partnerships for implementing programs. As an example, schools have participated in upland reforestation activities at Hāmākua.

Management and oversight of non-profit organizations would be the responsibility of either DOFAW or DSP depending upon the areas being utilized. As previously discussed, non-profit organizations already involved with stewardship, curatorship, and other activities in the project area have proven to be good and committed partners with DOFAW and DSP. We disagree with your perception of the trustworthiness of the project's conceptual plans and vulnerability to commercialization, which isn't allowed, as these organizations reflect examples of successful stewardship partnerships with DOFAW and DSP.

As discussed, the Draft EIS discusses the project in more detail that includes wetland restoration and upland reforestation improvements, improvements supporting Ramsar objectives, DOFAW and DSP agency missions, compliance with regulatory requirements for public access and outdoor recreational opportunities, increasing stewardship opportunities, and supporting educational programs and cultural practices. There is currently only limited access at Kawainui, and proposed improvements are intended to provide future generations with the opportunity to visit and enjoy this resource, educational programs, etc. Restoring this resource is a priority, and the phased implementation of proposed improvements supporting public access complements the area's character while taking into consideration your concerns and general opposition with visitors to Kailua.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



## Ronald Sato

---

**From:** Tiff Lawyer <tifflawyer@gmail.com>  
**Sent:** Monday, October 24, 2016 10:58 AM  
**To:** Ronald Sato  
**Cc:** Marigold.S.Zoll@hawaii.gov  
**Subject:** Comments on The Kawainui - Hamakua Master Plan  
**Attachments:** TwoGood Add seabird sanctuary.pdf

1030 Aoloa Place

Kailua, HI 96734

[tifflawyer@gmail.com](mailto:tifflawyer@gmail.com) October 24, 2016

Ronald A. Sato, AICP, Senior Associate Sent via email

HHF PLANNERS

Re: Comments on The Kawainui – Hamakua Master Plan

Dear Mr. Sato,

We know that every organization has it's short comings and efficiencies and that it seems that the State of Hawaii is incapable of stopping urban sprawl into the marsh. Why can't this pristine area be left alone so it can remain a sanctuary instead of another tourist and commercial venue plagued with homeless people and all their opala?

But if the project will go forth, the protection of this unique pristine area should be of foremost importance. Unless funds are predesignated and guaranteed to be available not only for the initial creation but also for the continued maintenance and oversight that will be needed to protect this pristine area.

Must set up procedures to enforce visitor rules, ie prevent visitors from entering off limit areas and to prevent defiling the environment. Must determine who and how this will be accomplished. Perhaps a version of "park rangers" will be required. Suggestion: to protect the pristine areas, all "public access" be limited to "small groups with a designated tour guide." No individual entry.

Must guarantee that all visitor info and prohibitions (ie critical signs such as No Entry) are also in Japanese so that these visitors will understand and conform to the rules.

Since the homeless situation in Kailua is already out of control, the building of parking lots, rest rooms and buildings/hales and trails will present more opportunities for the homeless to build more encampments. The trails will facilitate the homeless traveling to and from their new encampments. As they do elsewhere their waste and filth will follow them.

Who will be responsible for preventing illegal commercial activity? Controlling illegal commercial activity is never something the State of Hawaii handles well. How are they going to control that? Will each area be fenced in?, have guards?. Etc ?? No special “commercial permits” should be granted.

We have watched in amazement as the State of Hawaii has been filling in the end of the Hamakua Marsh to create a what will become a parking lot. How was this allowed? Isn't it illegal to fill in marsh lands with fill and the State of Hawaii was doing this for years?

It has to be also noted that the State of Hawaii has a dismal record of protecting the environment as is illustrated by the attached advertisement touting the visiting of “seabird sanctuaries” including a picture of a nesting bird. Is this brazen flouting of the law going to be allowed in the sanctuary as well? Other examples of Hawaii's inattention are the unkempt Maunawili trail, the Ala Wai Canal and Ala Wai boat basin. How are they going to manage all the new facilities proposed in the marsh?

A Hawaiian Cultural Center can be built elsewhere.

Sincerely, Viiu and Tiffany Lawyer

PS: Please keep us in the loop

CC: Email to [Marigold.S.Zoll@hawaii.gov](mailto:Marigold.S.Zoll@hawaii.gov)

--

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GOVERNOR OF HAWAII



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DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Tiff Lawyer  
1030 Aoloo Place  
Kailua, Hawai'i 96734

[tifflawyer@gmail.com](mailto:tifflawyer@gmail.com)

Dear Ms. Lawyer:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your email sent October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

The Kawainui-Hāmākua project does not reflect urban sprawl into Kawainui, and no facilities are being constructed within the wetland. We would like to clarify that the ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a very degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua as one of the project's priorities. The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and regulatory requirements for public access and outdoor recreational opportunities.

We understand the concerns and general opposition you have with visitors to Kailua, and opposition to changes that may attract more visitors to Kailua based upon your comments. The Draft EIS discusses the background associated with this issue, which is attributable to several items such as Kailua's renowned beaches and available ocean recreational activities. Your attached ad from an advertisement reflects ocean recreation as a visitor attraction.

It should be noted that Ramsar supports sustainable tourism, recreational use, and cultural practices within designated wetlands of international importance. Ramsar views sustainable tourism as maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (pedestrian trails, education center, etc.) supporting these aspects recognized under Ramsar. In keeping with



the Ramsar's "wise use" philosophy, project improvements support ongoing and new stewardship activities and opportunities, and provides opportunities for the public to experience and learn about the wetland areas through trails, viewing platforms, and an education center.

Support from the State Legislature will be needed to fund 1) restoration and other improvements supporting public access and management activities; 2) additional DOFAW and DSP staff positions for maintenance of new areas; and 3) permanent enforcement officers from the State DLNR, Division of Conservation and Resources Enforcement (DOCARE) assigned to Kawainui for security and regulations enforcement.

The proposed education center is intended to serve as the primary entrance point for visitors, and would support management of public access along the Kahanaiki to Nā Pōhaku corridor. The education center would be operated and managed either by DSP or a non-profit organization. Management activities include oversight of the parking area, trash collection, security of facility, and monitoring of activities occurring. The Draft EIS discusses management options and activities available, which includes DOFAW restricting access within certain areas, if warranted. DOCARE officers would function similar to "park rangers" suggested. Visitors would not be permitted within restricted areas of the wetland, and low fencing, signage, and educational material planned would support these efforts.

Necessary signage and information provided would be developed by DSP that has available standard designs to utilize.

DOFAW effectively removes homeless encampments within Kawainui, and appreciates support from the community in identifying and notifying them of such camps and issues. Project improvements include efforts to create partnerships with non-profit organizations to increase stewardship opportunities of areas and help monitor activities occurring. With daily activities occurring, parking areas, restrooms, and structures would not support establishment of homeless camps. The City's model airplane park is a good example of this. Reduced secluded areas make it less likely that homeless camps can be established because of increased visibility and public awareness. DLNR's DOCARE is responsible for security and enforcing regulations on state property, including the prohibition on illegal camping, and will coordinate with DOFAW and DSP on activities.

No commercial tours or operations would be allowed within this project site unless authorized under state permits. DOFAW and DSP are not planning to issue such commercial permits under this project. Currently, rules governing state wildlife sanctuaries limit the number of commercial visitors to 100 per day at both Kawainui and Hāmākua. DOFAW has thus far not issued permits for these commercial visitors, and do not intend to. Illegal commercial activities would be addressed by DOFAW, DSP, and DOCARE in partnership with non-profit organizations managing the education center, conducting educational or cultural programs, etc. We would also appreciate the cooperation of the public to report any violations witnessed.



DOFAW has not filled any wetland areas at Hāmākua. It should be clarified that Hāmākua consists of both wetland along with upland areas used for maintenance, management, educational programs, etc. The southern end of Hāmākua serves as the gated entrance and staging area for these activities. Some minor improvements have been conducted as allowed to improve this area to support educational programs and upland restoration activities occurring, which included removing invasive vegetation and leveling areas to support parking for school buses.

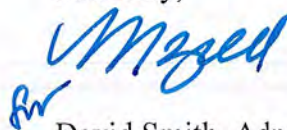
The state has done a credible job in managing the many diverse and expansive resource areas under their jurisdiction for the benefit of the public, which includes both visitors and residents. The state also issues permits for commercial vessels landing at Mokulua and Popoia islands, which includes kayak tours. Thus, your comments reflecting your perception of that operator in the ad may not be accurate. Similarly, the photo of the nesting bird could have been obtained from many photos available on the internet nowadays.

Regarding Maunawili Falls, the lack of an available parking area for visitors, no restrooms, and ownership of access areas by a private landowner are key elements contributing to issues with that site. The Ala Wai Canal is under the City's jurisdiction, and the Ala Wai Boat Harbor has operated successfully for many years. The State DLNR, Division of Boating and Ocean Recreation is properly working to plan for the future of this popular boat harbor. The Draft EIS includes more information on the Kawainui-Hāmākua project and efforts to address the management of activities.

The areas designated for cultural centers are appropriately located within the Kawainui project area. The purpose and intent for these centers do not support them being located elsewhere outside of the Kawainui project site.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



## Ronald Sato

---

**From:** Leonard Lepine <leonardlepine@yahoo.com>  
**Sent:** Monday, October 24, 2016 3:40 PM  
**To:** Ronald Sato  
**Subject:** Re: draft master plan for Kawainui and Hamakua marsh

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

---

**From:** Leonard Lepine <leonardlepine@yahoo.com>  
**To:** "leonardlepine@yahoo.com" <leonardlepine@yahoo.com>  
**Sent:** Monday, October 24, 2016 3:38 PM  
**Subject:** draft master plan for Kawainui and Hamakua marsh

It appears that the Ramsar Convention has artificial importance. An extremely small number of wetlands relative to the significant number worldwide, have received this designation. There are none in Oregon or Washington. The strategic Framework and Guidelines it provides have not been presented to the public nor do they have force of law in Hawaii. Perhaps the designation should be dropped from the discussion if a compelling argument cannot be made regarding its value in setting forth standards of practice for turning the marsh into an actual wetland with the kind of diversity associated with a true wetland.

What passive activities will be permitted on the trails: bicycles, electric bicycles, segways, walkers, runners, people with dogs, people with strollers, roller blade users, etc? How will these users impact the plants, animals, water quality, birds, etc?

State law allows for a maximum of 100 trail users, etc. to be associated with a commercial activity. I assume that if someone on the trail had rented a bicycle or segway, for example, they would be associated with a commercial activity. I foresee tour buses providing passengers with maps of the marsh and vouchers to rent bicycles. How do the planners propose to limit commercial use of the pathways to 100 people?

I would like to be apprised of developments regarding the master plan, EIS, etc.

Thank you,  
Leonard Lepine  
106 Palapu St. Kailua HI  
96734  
808 225 7828

--

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DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. Leonard Lepine  
106 Palapu Street  
Kailua, HI 96734

Dear Mr. Lepine:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your email sent October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

The State DLNR, Division of Forestry and Wildlife (DOFAW) was one of the three co-sponsors that submitted the application for Kawainui and Hāmākua's designation as a Ramsar Convention Wetland of International Importance. The Draft EIS provides background information on Ramsar, and this designation does not have the force of law in Hawai'i. Discussing the strategic framework and guidelines under Ramsar are not necessary for this document, and this information is already publically available on Ramsar's website.

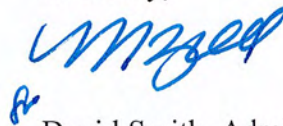
The Ramsar designation is important information associated with Kawainui-Hāmākua, and its discussion in the Draft EIS is appropriate. Ramsar provides valuable resources, reference and research materials, and policy guidance regarding the "wise use" of wetlands. This Ramsar Convention concept has at its core the conservation and sustainable use of wetlands and their resources for the benefit of humankind.

New pedestrian trails planned would be intended only for pedestrian use. Bicycles, segways, and dogs would not be permitted to use these trails. The Draft EIS discusses the impact from these trails on the environment. Trails and associated activities would have minimal impact on water quality, and plants because the majority of plants within upland areas consist of non-native invasive species, of which upland reforestation efforts are planned. In terms of wildlife, the vast majority of birds present at Kawainui are alien species and common to Hawai'i. Mammalian species present are alien, with all of them being deleterious to native ecosystems.

As previously discussed, bicycles and segways would not be allowed on new pedestrian trails because it is intended for pedestrian use (e.g. walking, jogging). Currently, rules governing state wildlife sanctuaries limit the number of commercial visitors to 100 per day. Commercial visitors permitted could consist of tours or other organized commercial visitation. DOFAW has thus far not issued permits allowing commercial visitors, and is not planning to issue such permits under this project. The Draft EIS discusses management options available to address visitors to this site.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



**TO:** HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, Hawaii 96813  
Attn: Ronald Sato, AICP Senior Associate

**FROM:** Levani Lipton  
111 Hekili Street, #315  
Kailua, Hi 96734  
Levani@post.harvard.edu

October 24, 2016

Dear Mr. Sato,

Upon reviewing the EISPN for Kawainui and Hamakua wetlands, I wish to be a consulted party and have the following comments.

The most important way to educate people about protecting natural resources is to be out in nature. To let them experience it, feel the air, a raindrop, contemplate the mist, experience the climate and observe birds with the naked eye. Putting people in a room with windows and insulation is in part caging them and does not allow them to holistically experience what it means to be a part of the ecosystem. We have a unique opportunity with Kawainui to teach our youth and visitors; and remind ourselves of the importance of preserving cultural knowledge as well as the ecological character of this wetland.

I ask in this important part of the process of the EIS going forward that you strongly consider how agencies like DLNR and DOFAW will truly engage the community in putting our hands into the soil and working with the 'aina. Our people are our best asset. Reading about preservation on a signboard is not enough. We must work and build a personal relationship honoring the land and its wildlife. This should not be limited to a few stakeholders. We all breathe the same air. We all play in the ocean. Nature does not discriminate in providing this opportunity. It is all our kuleana to take care of her.

### **Stewardship**

What is meant by community stewardship? Will the greater Kailua community be able to participate in the stewardship? Being that this is a natural resource that our entire community is responsible for and given that the goal is for the public to participate in the stewardship mentioned throughout the plan, **what is the process by which this will happen?** Who is the authority who will give permission to community members?

How will the educational components differ between the DOFAW Site, the education complex site, The Ulupo Heiau visitors center site, the signs on the trails, and the Wai'uia site?

### **Restoration, reforestation, and clearing of invasive species**

There needs to be more detail provided per the plan of promoting environmental preservation and stewardship. **What is the timeline for restoration activities? What is the detailed plan of action that will be implemented to restore the health of the wetland?** What is the long-term roadmap for future generations?

### **Security**

Two issues our community faces are the homeless population and drugs. What are the security measures in place for the Education Center, the Ulupo Heiau visitor's center, Wai'auia, Pu'uoeahu trails, and Kalaheo canoe halau?

Often buildings in state parks that are not monitored are at risk of being tagged. The Kawainui levee has often had this happen more than once. What measures will be taken to prevent graffiti and desecration at each site?

### **Fire**

A few years ago part of Kawainui was set on fire intentionally. What steps will be taken to protect each site from the risk of fire and arson?

### **Trails**

Request that as part of the process there be meetings with the following communities and community stakeholders who will each be impacted and affected by the development: Kawainui Vista, Kukanono, Kalaheo-Mokapu Neighborhood, Coconut Grove, Church congregations along Kailua Road, Schools along Kailua Road –Le Jardin Preschool and Trinity School, Kailua community at large.

- Will the boardwalk have any concrete foundation?
- Will there be concrete used for any portion of the trails?
- What measures will be taken to prevent people from going on the trails at night and during off hours?

### **Air and water**

Have there been air and water quality studies for the following sites? There needs to be a baseline determined for each site prior to development.

- Na Pohaku o Hauwahine
- Ulupo Heiau
- Hawaiian Cultural and Environmental Complex
- Hawaiian Studies Center at Wai'auia
- Pohakea Cultural and Educational Area
- The Kalaheo Canoe Halau

### **Kawainui's Water**

- What will be done to mitigate runoff from storms and oil from cars into Kawainui wetland?
- What steps will be taken to reduce the incidence of leptospirosis?
- DOFAW restoration ponds have been known to be anoxic. What plans will be implemented to make them healthy environments?
- Will there be pesticides used in the clearing of invasives? If so, what are the names of the substances and the anticipated quantities that will be used?
- **Section 2-4:** there is mention of restoring the resource so that agricultural and urban contaminants consisting of fertilizers, herbicides and pesticides can better be filtered into the wetland. **Have water quality studies be done to obtain a baseline of these pollutant levels? How will the bird populations and wildlife be protected from these pollutants?**

### **Homeless**

There are 27 homeless families currently living in Kawainui. What is the proposed process for preventing homeless from living at each of the sites? Who will monitor this? What will happen to the homeless currently living in the Kawainui?

### **Cultural Preservation**

2-15: The use of heavy machinery might unearth archeological artifacts, ancient rock walls and 'iwi –what steps will be taken to mitigate the disturbance of these cultural artifacts and bones of our ancestors?

What steps will be taken to restore it to a functioning fishpond like it was? Will there be a wall like the one maintained at *Paepae o He'eia* to cultivate fish populations and to do so using native cultural practices?

### **Protecting the Birds**

- What is the plan to increase our endangered bird population?
- What measures will be taken to ensure their safety and access to food?
- What is the goal for their protection?
- What measures are being taken besides the fences to protect the birds and their ecosystem?
- How will the birds be protected from predators likes cats, rodents and dogs?
- Is the goal to bring the 4 bird species back from the brink of extinction? If so, what is the target number for increasing the population? How will this be implemented and facilitated?
- Will the birds be nesting at one area only or multiple areas within the wetland? Where will the bird nesting activities be monitored? Is it throughout Kawainui and all sites?
- 2-15: Cites mechanical and herbicide methods of removing the vegetation and peat mat. What are the risks associated to the birds and wildlife using these methods?



## Nonprofits

- Who makes the final decision on the RFPs of the nonprofits applying to operate each of the proposed sites, including the cultural center complex, the educational center, the visitor's center, and Wai'auia?
- What criteria will be used to evaluate the nonprofits?
- How will it be demonstrated that similar kinds of work have been performed by the nonprofits?
- What will be the relationship between the nonprofits and DLNR?
- Will there be a grant contract?
- What will be the expected responsibility of the nonprofit at each site in terms of stewardship of the land?
- Will the nonprofits be responsible for removing the invasive vegetation?
- Will the work of the nonprofits be reviewed on an annual basis?
- What if other nonprofits want to get involved in stewardship activities?
- Who determines the qualifications for the nonprofits who will be selected?
- How will it be determined that funders of the nonprofits not have commercial interests and agendas?
- How will it be assured that Kawainui never becomes a commercial enterprise?
- Who will monitor the work of the nonprofits?
- Will tax-payer funds be used for the nonprofits?
- What is the long-term plan for the sustainability of the work of the nonprofits?

## Governance, natural resource management and timeframe

1. What is the timeline for re-forestation? What is the timeline for restoration? What are the phases at which each activity will take place? Will the larger community be invited to help at times to support re-forestation activities?

- What is the 15-20 year plan for restoration of the natural habitat of the marsh?
- What governing body is responsible for the over all well-being of the wetland?

2. From the EISPN it appears that reforestation and clearing of invasive species, represents a major and perhaps the most important goal of restoring the health of the Kawainui. Clearing followed by development would be counterproductive to the entire watershed and clearing performed only in sections where there are intended buildings does not appear to be a comprehensive approach. Working with 10% of the wetland fails to address the overall health and functionality of the **entire wetland**. **What is DLNR's strategy to take care of the entire wetland and ensure the health of its ecosystem?**

3. To ensure its health and long-term viability, stewarding the entire wetland needs to be addressed. Too often agencies take actions incrementally and react to consequences instead of addressing situations proactively. **Is there a plan to steward and restore the health of the wetland in phases? Who will be the responsible parties for the stewardship?**

4. There are many different interpretations of how to steward the ‘aina, will there be a training on how to do this consistently? Will the public be invited to take part? How will this be integrated into the overall functioning of the marsh?

5. Part of this plan is considering the history of the past—**what about the planning of the future?** What guidelines or legacy are we laying the foundation for generations 200 years from now who will be affected and impacted by climate change, sea level rise and coastal changes? What are the scientific and technical means that we are using to deal with erosion, changes in our water system, water table, and watershed?

6. Who will be responsible or the authority for the permissions and educating the public on rules at each site?

### **Protection of the watershed**

At the IUCN World Conservation Congress held in Hawaii in September 2016 there were presentations that focused on addressing the environmental needs from a holistic perspective, mauka to makai, the entire watershed. What measures have been put in place as safeguards to protect the entire watershed that feeds into the Kawainui wetland?

### **Cultural Centers**

There are many halau on the windward side and throughout the islands. Will all halau, and cultural groups have access to the cultural centers at Na Pokahu as well as the cultural complex at Kapa’a? Will it be open to Hawaiian immersion schools? Will it be available to cultural groups on neighboring islands? Will there be a formal sign up process? Will they be charged a fee to use the facilities? What steps are being taken to ensure that this will be equally shared among different Hawaiian groups to ensure the perpetuation of cultural practices?

Who will be responsible or the authority for the permissions and educating the public on rules and cultural observances at each site?

### **Cultural Center Complex**

In the master plan it indicates that this facility will not be open to the public but will be used for Hawaiians and certain groups of indigenous people. This appears to be discriminating and would go against the goal of educating the wider public about the importance of preserving indigenous culture. Who will have the authority to determine who can go to the cultural complex and who cannot?

What are the plans for cultural groups employing cultural practices who currently use Kawainui who will be **displaced** by the development? What plans or alternative locations will be provided to ensure that these cultural practitioners also have the ability to practice their cultural rites?

It appears from the plan that there are more bathrooms than necessary within a one mile radius. Who will maintain the bathrooms at each site? Currently, there is a bathroom at the model airplane field, which is near to the cultural center.

The proposed cultural center, which is a hale type structure, appears to be made of permanent materials. These multiple facilities could provide shelter for the houseless. What steps will be taken to ensure that homeless families and drug users do not reside here during off hours when the cultural center is closed?

## **Budget & Funding**

Who will be paying for the construction and development of the following? What are the expected costs for each of the following?

- Na Pohaku o Hauwahine
- Ulupo Heiau
- Hawaiian Cultural and Environmental Complex
- Hawaiian Studies Center at Wai'auia
- Pohakea Cultural and Educational Area
- The Kalaheo Canoe Halau
- Each of the proposed trails in Kawainui, Hamakua, and Pu'uoeu
- The Kawainui boardwalk
- Parking Lots at Kapa'a Quarry sites, the Wai'auia site, the Kalaheo site
- Human resources required to cultivate, propagate plants?
- Human resources to participate in reforestation?
- Human resources to clear invasives

What is the long-term budget for the next 15 years?

What will be the annual budget required to sustain the efforts of reforestation

What will be the annual budget required to sustain the efforts of clearing invasives?

What will the annual operational budget be for each of the following facilities:

- Na Pohaku o Hauwahine
- Ulupo Heiau
- Hawaiian Cultural and Environmental Complex
- Hawaiian Studies Center at Wai'auia
- Pohakea Cultural and Educational Area
- The Kalaheo Canoe Halau

What is the anticipated timeline for the following to take place?

- Cultivating bird populations
- Clearing of invasives
- Reforestation
- Construction of facilities at Na Pohaku o Hauwahine
- Construction of visitor's center at Ulupo Heiau
- Construction of Hawaiian Cultural and Environmental Complex
- Construction of Hawaiian Studies Center at Wai'auia
- Construction of Pohakea Cultural and Educational Area
- Construction of The Kalaheo Canoe Halau
- Construction of parking lots at each site



## **Liabilities**

If visitors get injured on trails or if hikers go on trails illegally and there is an accident and they have to have to have call EMS responders, who is liable? The nonprofits? DLNR? The state?

Are taxpayers liable to pay for these EMS services?

If someone dies and there is a resulting lawsuit? What steps will be taken to ensure that taxpayers don't have to bear the costs of a potential lawsuit for an injury or crime on state park lands?

## **Kalaheo Site**

- Will there be grading performed to make space for the canoes? How many canoes are estimated to be parked there? Will the site be open to all canoe clubs (Windward Kai, Kailua, Kai Oni, Kalaheo High School, and Lanikai)? What will be the terms under which they can practice?
- Erosion and silt buildup: What steps will be taken to ensure that in the removal and parking of canoes that the soil doesn't enter the Oneawa canal and enter Kawainui marsh?
- What actions will be taken to make sure that Kawainui doesn't become polluted and gets discharged to the ocean via the Oneawa canal like Enchanted lake with the resulting Kaelepulu stream that flows to the ocean and pollutes Kailua bay?

## **Ulupo Heiau**

The Windward YMCA is used by thousands of people: the general public, families, persons with special needs, students, children, trainers, and school groups daily. The winter and summer recreational programs for children and youth during the school holidays are always at full capacity. The adjacent church has services throughout the year. This often means that parking has been a serious ongoing problem for both YMCA users and staff.

The cultural site of Ulupo Heiau is frequented by segway tours, small buses like bird watching tours and groups of individuals in minivans with private tour guides. As a result, there is often a backlog of cars waiting to get in to the back parking lot near the Heiau.

- Will the proposed buffer zone be undergoing an environmental review?
- Is the buffer zone intended to be used for parking at the proposed visitor's center?
- What are the plans to have visitors come to Ulupo without affecting the parking situation?

Residents of the Kukanono community are largely opposed to traffic coming through their neighborhood. They cite speeding cars, safety concerns and have acknowledged that cars do not stop at the stop sign on Manu O'o street. They are deeply concerned for pedestrians, families with small children who play on the street, and elderly who live in the neighborhood.

- Has a traffic study been done for the community of Kukanono specifically monitoring the junction of Manu O'o and Manu Aloha and the entry to the Heiau?
- What is the plan to minimize traffic caused by guests to the visitor's center at Ulupo Heiau? Will cars be monitored and counted? How will this be enforced? Who will do the enforcing?

Tour guides and tourists spray themselves with repellants before entering Ulupo Heiau.

- What steps will be taken to ensure that with increased foot traffic chemicals like DEET don't **harm** the native vegetation, the newly reforested plants, endangered birds or enter the water system and the fields of Lo'i kalo?
- How will the kalo that is grown be distributed? Will it be sold? Will it be given to families in need?

A majority of the upkeep, pruning, cutting of weeds and grasses on the Heiau is done by the inmates of the women's correctional facility. We are very grateful for their commitment and hard work.

- Will they be allowed to continue caretaking for the grounds of the Heiau?

People often walk on the Heiau because they don't know that it is sacred.

- How will it be made known that people should not walk upon this cultural site?

## **Wai'auia**

There are many halau on the windward side who don't have their own permanent space. Will they have access to Wai'auia to practice their cultural activities? Will there be a formal sign up process? Will they be charged a fee to use the facilities?

**Pu'uoeahu:** The plan designates that this site is to be used only for DOFAW activities. Will steps will be taken to ensure that people abide by this guideline? Will be a gate to keep the general public off the trail?

**Pohakea Cultural and Education Area:** Will the six kauhale be open aired? Will they be enclosed with glass? Will the offices be made of natural elements like thatch? Will the offices be run off the electrical grid?

## **Additional Questions:**

## **Sewage**

For each site with bathrooms: Kalaheo, Wai'auia, Educational Complex, Cultural Complex –where will the sewage be disposed of? Will it tap into existing sewer systems? Are there plans to prevent sewage spills into the wetland?

## **Trash**

How will trash be disposed of at each of the facilities?  
How will trash be disposed of on the trails?

## **Army Corp Ponds**

The DOFAW restoration ponds have been known to be anoxic. What plans will be implemented to make them healthy environments?

## **Public Access**

There is mention of increasing public access and providing outdoor recreational activity as mandated by DOFAW. Why is it necessary to have shelters, if the point is for people to experience an outdoor classroom as mentioned, be in nature and experience nature authentically?

What is meant by passive recreation?

How many visitors will be allowed per day at each of the following sites? How will the quota on the number of visitors be enforced and regulated? Who will be doing the enforcement?

- Na Pohaku o Hauwahine
- Ulupo Heiau
- Hawaiian Cultural and Environmental Complex
- Hawaiian Studies Center at Wai'auia
- Pohakea Cultural and Educational Area
- The Kalaheo Canoe Halau

How many visitors will be allowed per day at each of the following sites? How will the quota on the number of visitors be enforced and regulated? Who will be doing the enforcement?

- Na Pohaku o Hauwahine
- Ulupo Heiau
- Hawaiian Cultural and Environmental Complex
- Hawaiian Studies Center at Wai'auia



- Pohakea Cultural and Educational Area
- The Kalaheo Canoe Halau

**Section 2-6:** there is mention of combining cultural practice with resource stewardship. More detail needs to be provided on what stewarding the resource means?

**Section 2-7:** What are the **periodic events** mentioned?

**Section 2-17:** What are the estimated costs: for 1) Repairing the culverts 2) Reforestation and 3) Labor

**Section 2-17:** What measures would be taken to ensure that the area between where storm water runs off and the areas proposed for cultivating taro and 'uala would not be contaminated with run-off?

Thank you for your consideration and for taking the time to respond to my concerns and questions.

Sincerely,

Levani Lipton

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
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ENGINEERING  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Levani Lipton  
111 Hekili Street, #315  
Kailua, HI 96734

Dear Ms. Lipton:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your letter dated October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. You have been added as a consulted party, and will receive a copy (CD) of the Draft EIS when published for review. We offer the following responses to your comments.

We concur that one method of educating the public about natural resources, such as Kawainui, is allowing them to experience it in a more hands on manner. The proposed project would support this by providing public access and accessory support facilities, such as restrooms. Visitors would be able to walk along pedestrian trails to view this resource and wildlife. The education center planned is intended to serve as the primary entrance point for visitors, and would support management of public access along the Kahanaiki to Nā Pōhaku corridor. The project includes improvements that would create stewardship opportunities with non-profit organizations, which would improve management of the area and promote cultural and educational programs.

We would like to clarify that the ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua as one of the project’s priorities. The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and regulatory requirements for public access and outdoor recreational opportunities, and cultural practices.



### Stewardship

Community stewardship is viewed as active participation by communities in activities meant to improve the long-term sustainability of Kawainui and Hāmākua and their associated environments. DOFAW and DSP support the Kailua community's participation in stewardship activities. Non-profit organizations presently involved in stewardship, curatorship, and other activities have been strong and committed partners with DOFAW and DSP. Restoration efforts, educational programs, and cultural programs are already being conducted by non-profit organizations at Ulupō Heiau, Nā Pōhaku, the restoration ponds, and other project areas under curatorship agreements. Their efforts reflect their commitment, and are examples of successful stewardship partnerships with DOFAW and DSP.

Schools, non-profit organizations, etc. can already discuss participation in educational programs and stewardship opportunities with DOFAW and DSP. Non-profit organizations selected to develop the proposed cultural centers would discuss details of stewardship roles and responsibilities with DOFAW as part of the leasing or contracting arrangements for the use. Upon coordination with DOFAW, the Board of Land and Natural Resources would issue the final approval of such agreements.

Educational components differ for the various project improvements, and are discussed in the Draft EIS. The educational center would be operated either by DSP or a non-profit organization, and DSP would coordinate with the selected organization in developing more specifics on programs as part of the center's development. This would similarly occur with DOFAW for the cultural centers planned. At Ulupō Heiau, there is no visitor's center, but a non-profit organization currently manages educational programs there under a curatorship agreement. DOFAW's research and management station is primarily for their operations and maintenance of Kawainui, however, educational programs can and are presently coordinated through DOFAW.

### Restoration and Reforestation

As previously discussed, the ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection. The Draft EIS includes more discussion of the various improvements proposed to restore the ecological character of Kawainui. The Draft EIS includes information on the proposed phased implementation of improvements. After restoration improvements, management and maintenance of areas would be the main effort needed to maintain conditions and not let invasive species retake the area.

### Security

DOFAW effectively removes homeless encampments within Kawainui, and appreciates support from the community in identifying and notifying them of such camps and issues. Project improvements include efforts to create partnerships with non-profit organizations to increase stewardship opportunities of areas and help monitor activities occurring. With daily activities occurring, parking areas, restrooms, and structures would not support establishment of homeless camps. Unfortunately, the purpose for this project and improvements proposed are not intended to address drug use in society, as there are other institutions to more appropriately address that.



The facilities proposed, such as the education center, cultural centers, and hale wa'a would be managed and operated by non-profit organizations. Those organizations would be responsible for their security and maintenance. There is no visitor center at Ulupō Heiau. Pedestrian trails at Pu'uoeahu would be for DOFAW restoration and management activities, and access to this area is restricted. Entrances to facilities would be gated and closed after hours to prevent unauthorized access.

Unfortunately, any facility has the potential to be subject to damages. However, the City's model airplane park is a good example of regular usage, increased visibility, and public awareness helping deter homeless issues and other problems. The State DLNR, Division of Conservation and Resources Enforcement (DOCARE) is responsible for security and enforcing regulations at Kawainui, and will coordinate with DOFAW and DSP on activities.

### Fire

The same efforts addressing security issues would apply to preventing arson. Facilities developed would be designed to include fire protection measures, such as sprinkler systems.

### Trails

There have been several meetings conducted with community stakeholders and organizations including several of those you've identified. This included public informational meetings conducted, and additional meetings with pertinent organizations and stakeholders. Other efforts include soliciting review and comments on the EISPN and the published Draft EIS.

The actual design for boardwalks would be developed when pertinent sections of the pedestrian trails crossing edges of wetlands or drainageways are implemented. Boardwalk sections are intended to consist of wood or other appropriate material depending upon the design and geotechnical data obtained during the design phase. However, if required from a design perspective, concrete footings or other elements could be considered, and are commonly used nationwide. Pedestrian trails within upland areas are envisioned to have permeable surfaces, such as gravel or grasscrete. Foot trails would be unimproved, similar to hiking trails. For some sections of the pedestrian trail, concrete or other appropriate material may be required to provide suitable and safe access meeting American Disability Act requirements.

Access to parking areas would be closed and gated at the end of the day to prevent people from accessing areas. The visibility of trails at night would be very difficult because trails would not be lighted.

### Air and Water

The Draft EIS addresses and includes a water quality study conducted for this project that also incorporates the results of several prior water quality studies conducted for Kawainui. Air quality is addressed in the Draft EIS, and this project would have minimal impact on air quality. Air and water quality baseline data is not necessary for each of the sites identified for facilities prior to their implementation. Water quality sampling has been conducted at several areas within



Kawainui, particularly in the vicinity of area proposed for facilities, providing sufficient data to assess existing conditions and probable impacts from improvements proposed.

#### Kawainui's Water

The Draft EIS includes discussion of best management practices and other measures that can be implemented to address storm water runoff and pollutants from activities at Kawainui.

Kawainui is not considered a "hot spot" for leptospirosis and there are no known incidences of leptospirosis resulting from this site. Activities planned at Kawainui do not include those occupations typically associated with this exposure risk, such as dairy farming, slaughterhouse, and there would be no recreational activities occurring within the waters and wetland.

Wetland restoration, passive outdoor recreation, and educational and cultural programs (e.g. lo'i kalo) consist of activities that could expose persons to leptospirosis. However, persons would not be swimming or wading in Kawainui's water that could be contaminated with animal urine, which significantly reduces the exposure risk. Other best management practices would involve DOFAW staff and contractors working on site to wear protective clothing and footwear. Education center improvements would support prevention of leptospirosis and other waterborne diseases by providing facilities to wash one's hands, and can support educational programs for visitors to better inform them of such diseases. At the Hawai'i Nature Center, where similar hands-on learning is conducted regularly, instructors talk about leptospirosis and other waterborne disease, and check all hands for open wounds. If participants have an open cut or sore, they are not allowed to touch the water, and children are led to a sink to wash their hands after a lesson.

The restoration ponds already exist at Kawainui, and DOFAW is working on managing and maintaining them. The project does not include any improvements to these restoration ponds.

Only herbicide approved for use within wetlands by regulating agencies, such as AquaMaster, would be used as part of wetland restoration methods. Approved herbicides would be applied as required for areas being worked on and based upon site conditions following the manufacturer's specifications.

As previously discussed, the Draft EIS addresses and includes a water quality study conducted for this project. Water quality samples provide information on existing pollutants. Overall, project improvements would have minimal effect on Kawainui's water quality. In terms of wildlife, wetland restoration efforts are intended to improve habitat for endangered waterbirds because Kawainui's present condition does not provide suitable habitat. The vast majority of birds present at Kawainui are alien species and common to Hawai'i. Mammalian species present are alien with all of them being deleterious to native ecosystems.

#### Homeless

DOFAW effectively removes homeless encampments within Kawainui, and appreciates support from the community in identifying and notifying them of such camps and issues. We don't think



there are 27 families living at Kawainui. But, if you would like to share information on these families and their areas, please contact us and we will address this and coordinate with other agencies that are trying to help such families.

Project improvements include efforts to create partnerships with non-profit organizations to increase stewardship opportunities of areas and help monitor activities occurring in addition to DOFAW staff working in the field. With daily activities occurring, the parking areas, restrooms, and structures would not support establishment of homeless camps. Reduced secluded areas make it less likely that homeless camps can be established because of increased visibility and public awareness. The City's model airplane park is a good example of this. DLNR's Division of Conservation and Resources Enforcement (DOCARE) is responsible for security and enforcing regulations on state property, including the prohibition on illegal camping, and will coordinate with DOFAW and DSP on activities.

### Cultural Preservation

The Draft EIS includes more information discussing the proposed wetland restoration methods and activities, and includes a section addressing effects on historic sites. Within the wetland, restoration work would predominantly consist of cutting existing vegetation and removing vegetation within a few inches below the ground surface. This includes peat mat that can be several feet thick floating above the surface. Therefore, this work should not disturb potential historic lo'i walls that are potentially several feet underlying the surface, and archaeological monitoring would occur where appropriate to further minimize potential effects.

There have been many archaeological studies conducted for Kawainui and the surrounding area, and these studies have documented the cultural history, prior land use of Kawainui, and identified historic sites. The areas designated for facilities such as the education and cultural centers have been previously disturbed and subject to former uses such as ranching and City maintenance baseyard. If necessary, additional fieldwork can be conducted for the footprints of specific building locations in conjunction with the design for such facilities, if required by the State Historic Preservation Division. Archaeological monitoring could also be conducted to minimize potential effects of ground disturbing activities.

The historic use of Kawainui as a fishpond is not appropriate for this wetland's present purpose for flood protection and waterbird habitat. This information could be incorporated into educational programs. Project plans thus do not include improvements to restore portions of Kawainui into a fishpond. Currently, lo'i kalo and other traditional crops are allowed to be grown around Nā Pōhaku, Pōhakea, and Ulupō Heiau as a component of educational and cultural practices. The project's conceptual plans would support continuation of these activities, and also allow for such activities to be conducted at the cultural center planned at Kapa'a.

### Protecting the Birds

The Draft EIS includes more discussion of the various improvements proposed to restore the ecological character of Kawainui and improve its function as habitat for endangered waterbirds. As previously discussed, the vast majority of birds present at Kawainui are alien species and



common to Hawai'i. Information on project objectives and efforts to first improve waterbird habitat and then support their activities, such as low fencing around the wetland perimeter and other activities, are discussed. The Draft EIS also discusses the trapping program already occurring to address alien mammalian species present that are deleterious to native ecosystems. Dogs would not be allowed within new areas proposed for public access or on the levee.

Endangered waterbirds are already making a strong return from efforts such as this project along with other efforts conducted by DOFAW statewide. There is no target number needed for waterbird populations, but the overall goal is to allow them to be delisted from the endangered species list. DOFAW coordinates these efforts with other pertinent agencies, and the Draft EIS discusses proposed improvements that support reaching this goal. The Draft EIS discusses areas intended for various project objectives supporting waterbird habitat. Waterbirds would nest in multiple areas that would change over time since wetland restoration is planned to create more natural habitat that would change during seasons (e.g. seasonal mudflats). DOFAW monitors pertinent areas as part of the daily management and maintenance activities, which includes periodic counts. The project supports educational opportunities that would allow schools or universities to also participate in such counts, activities, etc.

Wetland restoration efforts proposed would not harm endangered waterbirds, and DOFAW is already implementing such activities as part of their regulation management activities and as part of previously approved projects. DOFAW staff are knowledgeable and experienced in conducting such activities, which is part of our core agency mission. As previously discussed, only herbicide approved for use within wetlands would be used, and would not harm birds and wildlife, most of which are alien and deleterious to native ecosystems.

### Non-Profits

There Board of Land and Natural Resources (BLNR) would make the final decision in selecting the non-profit organizations to operate the educational and cultural centers. DOFAW and DSP would develop Request for Proposals (RFP) solicitations, and the specific criteria would be determined at that time. Typical RFP evaluation criteria that could be included may consist of proposed financing plan, the organization's previous experiences, and experiences working with these resource and state agencies. There would not likely be a grant contract issued. Other contractual details, such as responsibilities for stewardship activities, removing invasive vegetation, reviewing annual work progress, etc. would be determined by DOFAW and DSP at a more appropriate time. The focus of this EIS is to first evaluate the environmental impacts of the project's conceptual plans.

DOFAW and DSP would review and evaluate the qualifications of non-profit organizations submitting proposals, and make their recommendations to the BLNR. Schools, community organizations, etc. are now able to consult with DOFAW and DSP about establishing partnerships for implementing stewardship or educational programs within Kawainui-Hāmākua. As an example, schools have participated in upland reforestation activities at Hāmākua. To address your commercial concerns, non-profit organizations would need to meet tax and other regulatory requirements, and commercial development for visitors are not proposed under this project.



DOFAW and DSP would monitor activities conducted by non-profit organizations. State funding from DOFAW or DSP are not proposed for non-profit organizations establishing cultural centers. DSP may construct the education center, as they do for other state parks, or have a non-profit organization construct it. Non-profit organizations would be responsible for their long-term sustainability and activities conducted.

#### Governance, Management, Timeframe

1. The Draft EIS includes information on the proposed phasing for implementing various improvements, such as wetland restoration, upland reforestation, etc. The community would not be invited to assist with upland reforestation activities due to the type of work involved and safety issues. However, the community could be included as part of service learning projects to participate in smaller organized or maintenance type of activities associated with upland reforestation. DOFAW is the agency responsible for restoring, managing and maintaining the wetland.
2. The limited areas proposed for facilities supporting the education and cultural centers would not be counterproductive to the watershed, and the Draft EIS addresses the project's effect. Upland reforestation is a long-term initiative and includes several upland areas that involve the gradual replacement of invasive trees and vegetation with native vegetation. It should be clarified that Kawainui consists of both wetland areas and surrounding upland areas as discussed in the EISPN. Proposed wetland restoration efforts involve far more than 10 percent of the wetland area. There are also areas of Kawainui's wetland that are proposed to remain to serve as flood control, with the exception of selected removal of trees within the wetland. The Draft EIS provides more information on the proposed improvements.
3. The Draft EIS includes information addressing your comments and questions relative to stewardship activities with Kawainui's wetland. The document addresses proposed phasing, and DOFAW is open to working with non-profit and community organizations to support stewardship activities.
4. DOFAW does not plan on "training" organizations on how to conduct stewardship activities because they already have many tasks to conduct on a regular basis. DOFAW would coordinate and work with interested organizations, and already has activities programmed or conducted by others (e.g. schools) that can be implemented for others. DOFAW has community service learning projects for which the public can participate in, one of which is a monthly cleanup of the restoration ponds. All stewardship activities associated with restoration or reforestation activities support the overall function of Kawainui.
5. Project improvements are addressing the future of Kawainui-Hāmākua for future generations, and the master plan is intended to serve as DOFAW and DSP's guide for future implementation of improvements over time. The Draft EIS addresses the effects climate change in the form of sea level rise could have on the project. The Draft EIS address project effects related to erosion and the watershed. The project would have minimal effect of the City's water system and the underlying water table.



6. DOFAW and DSP would be responsible for managing activities occurring within the upland areas, and these agencies would work in coordination with non-profit organizations (e.g. organization managing the education center). The education center proposed would serve as a pertinent resource for educating the public.

#### Protection of Watershed

Unfortunately, it is not feasible, prudent or practicable for DOFAW and DSP to implement changes to activities or existing developed areas outside of this project area serving the larger watershed. Areas outside of this project area include privately-owned property, single-family residences, etc., and DOFAW and DSP only have jurisdiction and control over the Kawainui and Hāmākua project sites. Project improvements within the project area would help improve these portions of the larger watershed, and support the purpose and need for the project. The Draft EIS discusses the larger watershed areas that Kawainui and Hāmākua are located within.

#### Cultural Centers

To clarify, there is no cultural center proposed at Nā Pōhaku. The Pōhakea area adjacent to Nā Pōhaku would have an education center and a kauhale complex that would be open to the public, and include use by other hālau and cultural groups. The kauhale is an interpretive feature and the non-profit organization that constructs and manages the complex would conduct cultural practices there, and could accommodate requests by other organizations for conducting cultural practices.

The cultural center at Kapa'a managed by a non-profit organization would accommodate educational and cultural programs in coordination with DOFAW and DSP. This would thus allow opportunities for other organizations to have access to the center to participate in or conduct similar activities. Such participation could include Hawaiian immersion schools, organizations from the neighbor islands, etc. Details on how the activities would be structured, programmed, scheduled, managed, and fees would be determined during the RFP process. The selected non-profit organization constructing and managing the center would have some oversight on activities occurring, but it is intended to allow community organizations to participate in cultural and community related activities. This would include any protocols and rules for activities occurring.

#### Cultural Center Complex

Newly established cultural centers planned at Kapa'a and Wai'auia are not intended to be open to the general public like the other areas such as Nā Pōhaku, Ulupō Heiau, and the education center with kauhale complex at Pōhakea. The purpose for these areas are to provide opportunities for non-profit organizations to construct their own facilities to manage and operate, and support cultural practices and programs, participate in stewardship of areas, and participate in educational programs that are coordinated with DOFAW and DSP. The community would be allowed to participate in cultural and educational programs developed by and managed by the organizations developing these centers. It is not unusual for the state to lease property to persons



or organizations for certain activities that are not open to the general public, and there were two separate ranches operating at Kawainui in this manner for several decades.

There are no cultural organizations presently conducting cultural practices at the proposed Kapa'a and Wai'auia sites. These areas are currently restricted from public access, therefore, no organizations would be displaced. Organizations desiring to conduct cultural practices at Kawainui can contact DOFAW or DSP to inquire about obtaining permits authorizing limited access for such activities.

There is actually a limited number of restrooms proposed within the project area. It is not appropriate to have students or the public walk a mile to use restroom facilities. Restrooms would be maintained by the non-profit organizations managing and responsible for that area. For example, the non-profit organizations managing the education center and kauhale complex at Pōhakea would be responsible for maintaining restrooms, and they could contract out such services as part of their operations. The non-profit organization constructing the cultural center at Kapa'a would likely construct their own restroom facilities to manage and maintain.

The cultural centers at Kapa'a and Wai'auia would not become a shelter for homeless or turn into homeless encampments because there would non-profit organizations managing these centers and conducting activities there. These organizations would be responsible for the security of their facilities when closed.

#### Budget and Funding

The Draft EIS includes preliminary order of magnitude cost estimates for proposed improvements and addresses which agency or non-profit organizations would be responsible for costs. The actual development costs would be determined based upon the eventual design of improvements. Construction of the cultural centers would be funded by the non-profit organizations developing those facilities. DOFAW or DSP would be responsible for funding improvements associated with their improvements (e.g. DOFAW funds wetland restoration). Human resource costs for reforestation and wetland restoration activities are included in the cost estimates.

A 15-year long-term budget is not necessary at this time as preliminary cost estimates are provided, and serve as a general long-term budget for planning, phasing and programming activities. Funding for improvements is subject to appropriations from the State Legislature. Annual budgets for reforestation and invasive vegetation removal are associated with DOFAW's management and maintenance of the project area. Such budgets would be developed at the appropriate time and are dependent upon how much wetland restoration and reforestation work is implemented and funded by the Legislature.

Operating budgets for the planned education and cultural centers would be determined by and funded by the selected non-profit organizations. Operational budgets for Nā Pōhaku and Ulupō Heiau are not necessary because non-profit organizations are presently serving as curators for these areas, and have been implementing improvements and maintaining areas through their organizations and volunteer efforts.



The Draft EIS includes information addressing core priority activities that would occur throughout the timeframe and those activities programmed within general phasing timeframes. Implementation of most improvements would be determined based upon funding availability by the Legislature, except for those improvements constructed by non-profit organizations.

### Liabilities

As with other community facilities, the non-profit organization managing the education center may be liable for injuries occurring within their facility. Similarly, non-profit organizations operating the cultural centers may be liable for persons injured participating in activities within the cultural center. Non-profit organizations would be responsible to have appropriate insurance coverage. The State may be liable for visitors injured on pedestrian trails similar to what occurs for all other State land and park facilities.

EMS services are regulated under state regulations that address fees and collection of costs from individuals requiring services, and an individual's insurance coverage may also apply.

Litigation resulting from injuries or deaths would be a legal matter that is resolved between parties involved. Such matters would be handled in a similar manner applicable to other State property.

### Kawainui State Park Reserve, Kalāheo Section

The Draft EIS discusses improvements proposed at this site, and grading would be required to prepare site conditions for all improvements planned. This includes discussion of possible canoe clubs that may be granted permits to launch from this site for practice. Permits issued to schools or canoe clubs would specify the terms and conditions for use, such as time periods allowed.

The design of a launch area would include provisions to address potential erosion, which would not be a significant issue at this site.

The Draft EIS discusses the project's effect on water quality, and activities at this park site should not have a significant effect. Kawainui's wetland would receive minimal pollution impacts from activities at this site because water flows from Kawainui in a northeast direction discharging into Kawainui Canal (Oneawa Canal).

### Ulupō Heiau

The Windward YMCA receives a lot of traffic and parking demand from their members. Based upon our experiences and input from agencies and non-profit organizations managing Ulupō Heiau, the number of visitors to Ulupō is not as high as you indicate. Bird watching tours typically do not visit this site because it is not intended for wildlife viewing. Backlogs of traffic trying to reach the YMCA's rear parking lot is infrequent, and when it does occur are typically due to YMCA-related activities as opposed to visitors to Ulupō Heiau.



A buffer zone established around Ulupō Heiau to preserve the historical setting and prevent encroachment of structures does not require environmental review. As discussed in the EISPN, a draft cultural resources management and landscape plan was developed for Ulupō Heiau to serve as a plan for continued landscape restoration activities, and this plan recommended establishing buffers. There is no visitor's center planned at Ulupō Heiau, and any buffer zones would not apply to existing parking stalls already present. The project does not include improvements or changes to the YMCA's rear parking lot use. This parking lot already has five stalls designated for Ulupō Heiau visitation.

Traffic within the Kūkanono subdivision is primarily associated with activities at the Windward YMCA and churches in the area. Visitation to Ulupō Heiau is relatively light and discussed further in the Draft EIS. The Draft EIS includes a traffic study that addresses the project's effect at major intersections. However, a traffic study monitoring the junction of Manu O'o and Manu Aloha Streets is not warranted because the majority of non-residential traffic within that subdivision is due to the Windward YMCA activities.

A visitor center at Ulupō Heiau is not proposed under this project. Aside from ongoing restoration activities, only a nursery and hālau to support restoration activities, management, and educational programs are included under this project. The number of visitors to Ulupō Heiau with these improvements are projected to generally remain the same as current. No monitoring or enforcement of traffic restrictions are necessary, and this parking lot is owned and managed by the Windward YMCA.

Insect repellants used by visitors to Ulupō Heiau should not have a negative impact on existing vegetation, wildlife, or the lo'i kalo because visitors would be walking around and viewing sites. Visitors would not conduct activities in the lo'i or enter Kawainui's wetland. The kalo grown at Ulupō Heiau is for cultural and educational programs, and is not being sold. The non-profit organization managing these lo'i is responsible for its use, and the project does not change this activity.

The non-profit organization serving as curators for this site can continue to use persons from the women's correctional facility for restoration activities if they choose to do so. There are signs at this site now, and management of this site by the organization with a curatorship agreement would support such efforts to restrict unauthorized activities.

#### Wai'auia

The responses already provided on the cultural center complex addresses comments on this topic.

#### Pu'uoehu

Vehicular access to this site from the entrance to Hāmākua off of Hāmākua Drive is already fenced with a gate restricting access. No further steps are needed to ensure the public respects this restricted access.



### Pōhakea Cultural and Education Area

The kauhale complex shown in EISPN is a conceptual plan. Structures are currently envisioned to be open aired thatch structures, replicating a traditional Hawaiian habitation site. However, the actual design of these structures would be determined by the non-profit organization selected to construct and manage this complex.

The design elements for the education center would be determined later as part of the design phase when implemented by DSP. Windows would typically include glass, but the building structure would be made of more appropriate material supporting its purpose and activities. The building would likely connect to available electrical lines, however, a photovoltaic system could also be incorporated.

### Sewage

Restrooms would connect to the City's existing sewer system if service is available nearby. Otherwise, a septic tank system would likely be used similar to one currently used at the City's model airplane park site. Wastewater systems would be designed to meet applicable regulations, and should not result in sewage spills into Kawainui's wetland.

### Trash

Necessary trash receptacles would be provided for visitors to use when discarding trash. The non-profit organizations managing the education center and kauhale complex at Pōhakea would be responsible for contracting out or taking care of the proper collection and disposal of such refuse in coordination with DSP. Non-profit organizations constructing the cultural centers would be responsible for collecting and disposing of trash associated with their activities. Trash collection at other sites, such as DOFAW's management station and DSP's Kalāheo Section, may be contracted out by the respective agency, if staffing is not available.

### Army Corp Ponds

The responses already provided on the section on Kawainui's Water addresses comments on this topic.

### Public Access

As initially discussed, the project includes improvements that support Ramsar objectives, agency missions, regulatory requirements for public access and outdoor recreational opportunities, and cultural practices. Educational and cultural activities currently conducted at the project area include school children and volunteers who participate in hands-on restoration activities, sometimes for hours at a time. The availability of simple open shelters to provide protection from the sun and rain, seating areas, places to gather for discussions, areas to wash off, and restrooms are basic accommodations that need to be provided. These types of facilities are available at most public park areas.



Passive recreation includes activities such as nature viewing, walking and jogging, and visiting cultural sites. Active recreation refers to organized sports and playground activities, such as basketball, softball, and soccer that typically have extensive facilities to support these activities (e.g. courts).

The projected number of visitors at various areas are discussed in the Draft EIS. There is no quota on the number of visitors allowed at the areas open to the public. Guests at the cultural centers operated by non-profit organizations would be dictated by the type of programs and activities occurring there.

The Draft EIS discusses the management options and alternatives available to address increased public access. Additional staff needed to support management are discussed, and other options include not allowing public access within areas until DOFAW and DSP are able to effectively manage areas. Opening up areas for public access would occur in phases as improvements are implemented, and DOFAW and DSP would monitor activity levels before deciding on whether to increase access to other areas.

#### Section Comments

We note that the EISPN did not have Sections 2-6, 2-7, and 2-17, but presume these comments refer to page numbers.

Page 2-6. The Draft EIS includes more information discussing cultural practices and stewardship opportunities being provided.


Page 2-7. Periodic events identified for Hāmākua would be occasional community service learning projects, educational programs, and cultural programs that could be scheduled by DOFAW since Hāmākua has restricted access.

Page 2-17. The Draft EIS includes preliminary estimated order of magnitude costs for various improvements. Areas currently being used, along with new areas proposed, for lo'i kalo are already subject to storm water runoff, and are not known to have issues from pollutants. The Draft EIS discusses upland improvements to address storm water runoff such as improving culverts, creating drainage swales, etc.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



 David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

**Leslie Kurisaki**

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**From:** Kukona Lopes <kurising@gmail.com>  
**Sent:** Sunday, October 23, 2016 6:46 AM  
**To:** marigold.s.zoll@hawaii.gov; Ronald Sato  
**Subject:** EISPN questions  
**Attachments:** EIS questions.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Aloha Marigold and Ron,

I read the EISPN and came up with these questions. I look forward to your response.

Mahalo,

Kukona

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1. The EIS should include a complete hydrology study of Kawainui, to include the flow rates of Maunawili and Kahanaiki Streams.
2. What is the status of health of Maunawili and Kahanaiki streams since the “repair” of the Maunawili Ditch?
3. The EIS should be based on the traditional Ahupua‘a Land Management System. Why is this not included in the plan?
4. What impact will the increase in tourists visiting Kailua have on the vehicular and pedestrian traffic in Kailua?
5. What impact will the increase in pedestrian traffic have on the amount of debris left on Kawainui?
6. The EIS must address how the State will manage the increase of trash due to the increase of visitors to Kawainui/Hamakua.
7. What impact does the flood control wall on the makai side of Kawainui, have on the water quality/health of Hamakua Marsh?
8. The EIS should include a hydrology study of Hamakua Marsh.
9. The EIS should address what impact the construction of the Education Center, the Cultural Complex, the buildings at Waiaua. and the increased human presence around Kawainui and Kailua will have on the water quality of Kailua Bay.
10. The EIS should address the impact that the construction of the Education Center, the Cultural Complex, and the buildings at Waiaua will have on the water quality of Kawainui and Hamakua?
11. The EIS should include measures to monitor and assess increases of bacteria and contaminants in Kawainui, Hamakua, and Kailua Bay due to construction and increased pedestrian traffic.
12. The EIS should address what steps will be in place to remedy any increased levels of bacteria or contaminants.
13. Was the Hawai‘i State Burial Council consulted in the selection of Waiaua as the site for internment of ‘iwi kūpuna?
14. Will there be an increased presence of law enforcement around Kawainui and Hamakua Marsh to protect life and property of visitors to the various sites on Kawainui and Hamakua?

15. The EIS should include a study on the impact that an increase of visitors will have on the potential for an increase in crime around Kailua.
16. The EIS should include upgrading of the streetlights along Kapa'a Quarry road, as a deterrent to unwanted nocturnal criminal activity.
17. The EIS needs to address climate change and its effects on Kawainui.
18. The EIS needs to address the number one priority concerning Kawainui, its restoration.
19. The EIS needs to state that the Kawainui/Hamakua Master Plan is about the development and changing of Kailua to a highlighted tourist attraction.
20. The EIS needs to ensure that no private entities will be allowed to conduct business through a non-profit.
21. The EIS needs to address how the increase in visitors will be managed. What will safeguard Kawainui from being overrun with visitors?
22. The EIS should uphold to a high level of transparency and provide a list of meeting dates, times, and location for planning meetings with the consultants.
23. The EIS should be explicit in how Section 6(f) of the LWCF upholds native rights.
24. The EIS should be explicit as to why the Cultural Complex is not open to the public.
25. Because the Master Plan is touted as a community-based plan, the EIS needs to include the names of the multi-generational Kailua families that were consulted for, and submitted input into the Master Plan.
26. With all the illegal dumping of trash along Kapa'a Quarry Road, it would be shameful for the State/City to invite people to visit a "trash site". The EIS needs to address how the State/City plans to police against the illegal dumping on Kapa'a Quarry road.
27. The EIS needs to state what components of the Master Plan are about the natural environment and its preservation.



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAIHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. Kukona Lopes  
kurising@gmail.com

Dear Mr. Lopes

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email dated October 23, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPEN) for the subject project.

As generally reflected in your comments, we understand the concerns and general opposition you have with the level of visitors to Kailua, and toward changes that may attract visitors to the Kawainui-Hāmākua project area. The Draft EIS discusses the background associated with this issue, which is attributable to several items, such as Kailua’s renowned beaches and ocean recreational activities. The project includes improvements supporting restoring the ecological character of Kawainui and Hāmākua. The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and regulatory requirements for public access and outdoor recreational opportunities.

Ramsar supports sustainable tourism, recreational use, and cultural practices within designated wetlands. Ramsar views sustainable tourism as maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (pedestrian trails, education center, etc.) supporting these aspects of sustainable tourism recognized under Ramsar.

We provide the following numbered responses corresponding to your numbered comments.

1. The Draft EIS addresses the hydrology for the project area and includes available information on the flow rates of Maunawili and Kahanaiki Streams.
2. The status of the condition of Maunawili and Kahanaiki Streams will be addressed based upon available information on the flow rates and water quality sampling.
3. An ahupua’a management system for Kawainui is not reasonable or feasible for implementation because DOFAW and DSP only have jurisdiction and control over Kawainui’s project site. Areas mauka and makai of Kawainui’s project site are owned



by others. The Draft EIS discusses the proposed management system within the Kawainui project site, and includes background discussion of the larger ahupua'a of which Kawainui and Hāmākua are located within.

4. The Draft EIS includes discussion of the projected numbers of visitors and users (e.g. educational programs participants) at Kawainui. A traffic impact analysis report addresses the project's impact on major intersections around the Kawainui project area. The project would have minimal effect on pedestrian traffic in Kailua town. Pedestrian activities associated with the project would primarily be associated with visitors using the pedestrian trail around Kawainui for exercise and/or wildlife viewing.
5. Necessary trash receptacles would be provided for visitors to use when discarding trash. Either DSP or the non-profit organizations managing the education center and kauhale complex at Pōhakea would be responsible for contracting out or taking care of the proper collection and disposal of such refuse. DOFAW would monitor activities and can restrict access to areas under their jurisdiction as part of their management practices, if necessary, to rectify situations.
6. The Draft EIS addresses the anticipated impact on solid waste generation and disposal from the project. Access to Hāmākua would be restricted and should not have any issues associated with trash from visitor activities. Response No. 5 also addresses this comment.
7. The existing levee does not impact the water quality of Hāmākua. Surface runoff from the Coconut Grove subdivision area drains into the Kawainui Stream running along the makai side of the levee, and flows to Hāmākua. The existing levee was constructed by the U.S. Department of Army, and this project has no improvements proposed for the levee.
8. The Draft EIS includes information on the hydrology associated with Hāmākua that are sufficient to evaluate impacts from project improvements proposed there. Improvements planned at Hāmākua would have minimal effect on this area's hydrology because proposed improvements would only expand the existing wetland, include upland reforestation improvements, and include accessory improvements to support management activities (e.g. restroom and storage shed).
9. The Draft EIS includes a water quality study addressing the impact of proposed facilities at Kawainui. In general, these improvements would have minimal effect on Kawainui's water quality and similarly Kailua Bay. Hāmākua would not have issues with visitors because access would continue to be restricted by DOFAW. Only authorized educational programs or other approved activities would be allowed within Hāmākua.
10. Please see response No. 9 above.
11. Measures to monitor and assess increases of bacteria due to construction of improvements and visitors are not necessary, and the water quality study conducted already addresses various water quality parameters to address project effects. The water quality study addresses contaminants, and coordination would be conducted with the State Department of Health to address these areas and any best management practices or other measures necessary to mitigate effects.
12. Please see response No. 11 above.



13. The selection and construction of the burial reinterment site at Wai‘auia is not part of this project. The project just accommodates approved plans designated for this site. You could check with other native Hawaiian organizations that may have been involved with development of plans for that site to address your question.
14. Hāmākua would not have issues with visitors requiring regulations enforcement because access would continue to be restricted by DOFAW, with the exception of authorized educational programs, activities, etc. as previously discussed. At Kawainui, the State DLNR, Division of Conservation and Resources Enforcement (DOCARE) would be responsible for regulations enforcement. DOCARE would work in coordination with DOFAW, DSP, and non-profit organizations managing facilities, and the Draft EIS discusses increased DOCARE officers proposed.
15. Visitors to the project would not impact the level of crime and type of criminal activities that occur in and around Kailua. Day visitors to Kawainui would be there as part of educational programs, cultural activities, viewing wildlife and resources, and for passive outdoor recreation. Such visitors are not expected to contribute to criminal activities that would impact Kailua, such as burglaries, manslaughter, etc. Persons involved in such criminal activities are typically residents.
16. Upgrading or adding street lights along Kapa‘a Quarry Road would be determined and implemented by the City as part of their maintenance of this road. Visitor related activities at Kawainui would only occur during the day, and not require street lights.
17. The Draft EIS addresses climate change in the form of sea level rise impacts to the project.
18. The Draft EIS includes a description of wetland restoration and upland reforestation efforts.
19. As discussed earlier in this letter, your concern and opposition to visitors are noted. We don’t believe project improvements would change Kailua into a highlighted tourist attraction as Kailua is already a popular attraction for visitors primarily due to the renowned beaches and ocean recreational activities. The Draft EIS discusses the background associated with this issue, and factors contributing to Kailua’s popularity with visitors.
20. The Draft EIS discusses the possible procurement options for DOFAW and DSP to use in selecting non-profit organizations to develop and manage the kauhale complex and education center at Pōhakea and other cultural center areas. However, the actual lease documents or other agreements developed with selected non-profit organizations would address business and operations restrictions needed.
21. The Draft EIS discusses the management practices and options available for DOFAW and DSP to manage the level of visitor activity at Kawainui. The non-profit organization(s) that is selected to manage the education center and kauhale complex would coordinate with DSP in assessing visitor levels and activities.
22. The Draft Master Plan included an Appendices that documents public informational meetings, community meetings, and includes comments received by the community during the preparation of that report. Since then, a summary of comments received on the draft master plan, with responses, and copies of all written comments was made available to the public and those submitting comments in August 2016. This memo addressed modifications made to the master plan concepts based upon comments received. The Draft EIS documents EISPN consultation efforts, and future public



- informational meetings and consultations with the community conducted on the review the Draft EIS would be discussed in the Final EIS.
23. The provisions of Section 6(f) of the Land and Water Conservation Fund Act address providing access for the public and supporting outdoor recreational activities for all, and doesn't get into details of native rights issues, for which there are other regulations addressing that.
  24. The Draft EIS discusses the proposed concept for areas designated for development of cultural centers by non-profit organizations. These cultural centers would support educational and cultural programs in partnership with DOFAW and DSP that would be available for the community to participate in.
  25. The Draft EIS includes a list of organizations and individuals who were consulted with on the EISPN, and who have provided written comments. Copies of all comment letters received are included in the appendix of the Draft EIS. For organizations, you can refer to the comment letters received to identify who submitted their letter. The public review process does not require documentation or distinction made of the background of individuals participating in the process, because the process is open to all regardless of their background or ties to Kailua.
  26. Illegal dumping of trash along Kapa'a Quarry Road has been a problem occurring for long-time due to the relative exclusiveness of this corridor. Increased stewardship of areas, such as the education center at Pōhakea and cultural centers, would increase monitoring of activities along this corridor that would support deterring such illegal activities from occurring. DOFAW and DSP working with non-profit organizations as part of stewardship opportunities would coordinate with DOCARE to ensure enforcement of regulations.
  27. The ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a very degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua. The Draft EIS includes a description of wetland restoration and upland reforestation efforts that support efforts to restore the natural environment.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



*Dr*

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



## Ronald Sato

---

**From:** Makanani Parker <makananiparker@gmail.com>  
**Sent:** Monday, October 24, 2016 10:24 AM  
**To:** Ronald Sato  
**Cc:** Marigold.S.Zoll@hawaii.gov  
**Subject:** RE: Comments on the Kawainui-Hāmākua Master Plan Project EISPN

October 24, 2016

HHF Planners  
Attn: Ronald A. Sato, AICP, Senior Associate  
733 Bishop Street, Suite 2590  
Honolulu, HI 96813

### **RE: Comments on the Kawainui-Hāmākua Master Plan Project EISPN**

I am writing to provide comments on the proposed draft of the Kawainui-Hāmākua Master Plan EISPN. I recognize the time and effort that has been put into this development plan and greatly appreciate careful consideration to the following comments as well as all comments and concerns that are sent in regarding this ‘āina.

It is requested that the EIS seriously consider, include and recommend a comprehensive best practices model of customary ahupua‘a management systems as the cultural framework and the underlying core foundation for the Kawainui-Hāmākua Master Plan. The current layout of the Kawainui-Hāmākua Master Plan does not incorporate a comprehensive ahupua‘a management analysis or ahupua‘a management framework are not in alignment with current State initiatives, National trends, or in alignment with international models at the United Nations level.

#### **State initiatives:**

It is imperative that the EIS state, implement, and summarize how the Kawainui-Hāmākua Master Plan is in alignment and supports current State of Hawai‘i initiatives such as the six targets of the Aloha+Challenge for:

#### Clean Energy

The EIS must explicitly show how the plan meets the Clean Energy initiative 70% clean energy - 40% from renewables & 30% from efficiency.

#### Local Food

#### Natural Resource Management

The EIS must explicitly show how the plan meets the “Natural Resource Management target to reverse the trend of natural resource loss mauka to makai by increasing freshwater security, watershed protection, community based marine management, invasive species control and native species restoration.”

#### Waste Reduction

The EIS must explicitly state how it supports and helps meet the target to reduce the solid waste stream prior to disposal by 70%, through source reduction, recycling, bioconversion, and landfill diversion methods

## Smart Sustainable Communities

### Green Workforce and Education

The EIS must explicitly show how the Kawainui-Hāmākua Master Plan supports and increases local green jobs and education to implement these (6) Aloha+Challenge targets.

It is recommended that the EIS seriously consider acknowledging and detailing commitment and support to the State's current commitment to protect 30% of our priority watersheds and other lands and detail the process and initiatives taken, or lack thereof, in the development of Kawainui-Hāmākua Master Plan.

It is also suggested that if this plan is truly concerned about Kailua ahupua'a and current State trends then the EIS must state implementation and advocacy for the following:

The EIS must explicitly show, explain, and summarize a reasonable model that represents community-based natural resource management as upheld (motion 71) at the IUCN 2016.

The EIS must explicitly show, explain, and summarize a process to support a Pacific region climate resiliency action plan combatting climate change (motion 60) as it was passed at the IUCN 2016.

The EIS must explicitly show, explain, and summarize its support and alignment to state initiatives as represented in the Aloha + Challenge Model for sustainable development that was approved (motion 72) at the IUCN 2016.

The EIS must explicitly declare support and validation of the importance of environmental courts (motion 85) as passed at the IUCN 2016 as a mechanism of protection for Kawainui-Hāmākua 'āina

The EIS must explicitly address the overview and function of Hawaii's Environmental Courts that began operations on July 1, 2015 as a means of recourse for any mismanagement of Kawainui-Hāmākua 'āina.

### **National concerns:**

It is imperative that the EIS incorporate a study, analysis, and overview of the impact of climate change on Kawainui-Hāmākua.

It is also recommended that the EIS incorporate a comprehensive overview of Federal laws regulating Native Hawaiian rights.

### **United Nations:**

United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)

In 2007, the United Nations adopted the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and in 2010, President Obama announced the US support of the UNDRIP. The EIS must explicitly detail its support and implementation of the UNDRIP as an active and instructive component for the EIS.

EIS must explicitly disclose and document all individual persons names, and names of agents acting on the behalf of organizations, that have been or will be consulted in the future.

Thank you for this opportunity to comment on this project. As stated by so many in our community: do we really need so many structures, parking lots, and walkways to teach the cultural importance and significance of Kawainui and Hāmākua?

In addition, it is imperative that the EIS takes the necessary steps to implement current State of Hawai'i environmental initiatives and best practices of ahupua'a management. It is also imperative that the EIS



incorporate Federal and International input to reflect a truly “environment first” approach that will ensure, and safeguard the integrity of Kawainui and Hāmākua for future generations.

And lastly, it is also imperative that the EIS removes ethnocentric bias and uses the EIS as a unique opportunity to create real change firmly rooted in the ‘āina and thereby, advocating Hawaiian culture.

Sincerely,  
Makanani Lopes  
Kailua Resident

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DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
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CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAIHOO LAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Makanani Parker  
[Makananiparker@gmail.com](mailto:Makananiparker@gmail.com)

Dear Ms. Parker:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email dated October 24 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

Developing a comprehensive ahupua‘a management system for Kawainui and Hāmākua is unfortunately not reasonable, prudent, or feasible for this project and its implementation because State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP) only have jurisdiction over the Kawainui and Hāmākua project site. The project improvements are developed based upon the project’s purpose and need that were discussed in the EISPN and are further discussed in the Draft EIS. Areas mauka and makai of the Kawainui and Hāmākua project site are owned by other property owners, consist of single-family residences, etc. It is thus inappropriate for DOFAW and DSP, who have no jurisdiction, to propose project-related improvements and management actions for other privately-owned property because those owners have their right to determine their future use and activities conducted on their property.

The Draft EIS discusses the proposed management system within the Kawainui-Hāmākua project site for which DOFAW and DSP do have control and jurisdiction over. Proposed improvements within this project site support the need and objectives for this project. The Draft EIS includes a discussion of the larger ahupua‘a and watersheds in which Kawainui and Hāmākua are located. Information from other regional studies is also addressed in pertinent sections of the Draft EIS. The information from these various sources provides sufficient information to adequately address the probable impacts from the project, which is the purpose for this environmental document.



### State Initiatives

The Draft EIS discusses the project in relation to pertinent goals of the State's Aloha+Challenge, as appropriate. In general, the project doesn't need to achieve all targets because some may not be feasible and practicable to implement, but, improvements are intended to support trying to achieve these targets. For example, proposed structures such as the education center would incorporate low impact design (LID) elements, such as bioswales, bioretention areas and rain catchment systems. Proposals for wetland restoration and upland reforestation directly support natural resource management initiatives, including watershed protection and efforts to improve water quality.

1. Clean Energy. Project improvements are intended to support trying to meet the clean energy targets using available technology such as photovoltaic systems. However, the actual clean energy results implemented would be dependent upon the design of facilities and construction costs. Cultural centers would be developed by non-profit organizations, and the design of such facilities would need to meet their program needs, financing, etc.
2. Local Food. Currently, lo'i kalo and other traditional crops are allowed to be grown around Nā Pōhaku, Pōhakea, and Ulupō Heiau as a component of educational programs and cultural practices which support local food targets. The project's conceptual plans would support continuation of these activities, and also allow for such activities to be conducted at the cultural center planned at Kapa'a. However, larger scale agriculture or aquaculture production as part of food sustainability for the larger community or public is not allowed within the project area because it would be considered commercial agricultural production that is not permitted with a wildlife sanctuary.
3. Natural Resource Management. The Draft EIS discusses the project's effect on the watershed, but improvements have no influence or effect on the volume of water flowing into Kawainui and Hāmākua from streams. The project includes measures to address invasive species and restore native vegetation. Project improvements are intended to address the purpose and need for this project, which does not include reversing the trend of natural resource loss for areas outside of DOFAW and DSP's jurisdiction and this project area.
4. Waste Reduction. The Draft EIS addresses the project's effect on solid waste. Proposed improvements support trying to pursue target goals, and green waste processing at the vegetation processing center is one method.
5. Smart Sustainable Communities. Project improvements support trying to achieve smart sustainable communities.
6. Green Workforce and Education. The Draft EIS addresses the project's consistency with pertinent goals associated with green jobs and education.

The project would support protecting 30 percent of the watershed area within the Kawainui-Hāmākua project site. Areas planned for facilities within the project site account for only a small percentage of the entire area, with the majority of area being wetland that is being restored. We appreciate your suggestions relative to the ahupua'a and State trends noted, and the Draft EIS includes information, as appropriate, to address these.



We support the general elements of community-based natural resource management (CBNRM), and this project includes improvements supporting this to the extent practicable. The State is not legally bound to motion 71 or other motions taken by the International Union for Conservation of Nature (IUCN). This project includes several improvements intended to restore natural resources (e.g. wetland), enhance waterbird habitat, and improve natural resource function (e.g. Kawaiinui's flood control function). The master plan process allowed the community to provide suggestions and input that contributed to the project's proposed improvements. One example is including opportunities for non-profit organizations to develop cultural centers at designated areas of Kawaiinui to conduct cultural practices, and increasing public access that support educational programs and stewardship of this resource. The Draft EIS also discusses management of this area, and the need to comply with agency missions and other regulations. Cumulatively, this project thus supports elements of CBNRM, where feasible and practicable.

The Draft EIS addresses the effects climate change in the form of sea level rise could have on the project. In general, project improvements and upland areas would not be negatively impacted by sea level rise, and a Pacific region climate resiliency action plan is not necessary. As previously discussed, the Draft EIS discusses the project's relation with pertinent goals of the State's Aloha+Challenge (IUCN motion 72), where appropriate. The State is not legally bound to motion 85, and this project complies with applicable federal, state, and city regulations. Regarding environmental courts, project improvements would comply with federal, state, and city regulations and any proceedings necessary with the environmental courts would be a legal matter between parties.

#### National Concerns

The Draft EIS addresses the effects climate change in the form of sea level rise could have on the project, and includes discussion of pertinent federal laws concerning native Hawaiian rights.

#### United Nations

Proposed project improvements are consistent with the spirit of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). This UN General Assembly Declaration is not legally binding under international law, but emphasizes the rights of indigenous peoples to maintain and strengthen their own institutions, cultures and traditions, and to pursue their development in keeping with their own needs and aspirations. It also emphasizes that indigenous peoples be able to protect their cultural heritage and other aspects of their culture and tradition. The project supports these broad objectives by providing opportunities to develop cultural facilities, conduct cultural practices, and implement cultural education. Native Hawaiian organizations and individuals were among the many stakeholders involved throughout the planning process to develop proposed improvements.

The Draft EIS includes a list of organizations and individuals who were consulted with on the EISPN, and who have provided written comments. Copies of all comment letters received are included in the appendix of the Draft EIS. For organizations, you can refer to the comment letters received to identify who submitted their letter.

The project includes improvements that support Ramsar objectives, missions of the DOFAW and DSP, regulatory requirements for public access and outdoor recreational opportunities, and cultural practices. Other improvements support ongoing and new stewardship activities and opportunities, and provide opportunities for the public to experience and learn about the wetland areas through trails, viewing platforms, and an education center. Structures ultimately constructed for cultural centers by non-profit organizations would be subject to their own design process, costs, and need to support desired programs and activities to be conducted. Thus, the number of structures could be consolidated or reduced, such as those at the kauhale complex at Pōhakea.

We appreciate your comments relative to the State's environmental initiatives, ahupua'a management, and federal and international comments that were previously addressed. We believe proposed improvements would help restore Kawainui and Hāmākua, and provide necessary public access, outdoor recreation, stewardship, educational programming, and other public benefits for future generations to enjoy this resource. The Draft EIS addresses the environmental effects in an objective manner, without ethnocentrism, so that the project can be objectively evaluated.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



State of Hawaii  
Division of Forestry and Wildlife  
Department of Land and Natural Resources  
P.O. Box 621  
Honolulu, Hawaii 96809  
Ms. Marigold Zoll, Oahu's Forestry and Wildlife Manager

HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, Hawaii 96813  
Ronald A. Sato, AICP, Senior Associate

Comments and Request for Additional Information in the DEIS for:  
"Kawainui-Hamakua Master Plan Project" posted 9/23/16

Pauline Mac Neil, Kailua, HI 96734  
October 24, 2016

I request to be a consulting party in the preparation of an EIS for the Kawainui-Hamakua Master Plan Project.

1. The updated Ko'olaupoko Sustainable Communities Plan recommends "the protection of significant historic, cultural and archaeological features" in the Ko'olaupoko district. The DEIS should identify management proposals that address this objective as it applies to Kawainui and Hamakua marshes.

2. The DEIS should include a carrying capacity study (i.e., the maximum number of visitors possible without environmental degradation) for each individual site in the Master Plan, including trails, causeways and boardwalks.

3. According to a 9/26/16 KHON 2 report, the Native American Tourism and Improving Visitor Experience (NATIVE) Act has been signed into law. This law would provide Native Hawaiians with access to the resources and technical assistance needed to build sustainable recreational and tourism infrastructure.

The DEIS should clarify whether or not the cultural and/or educational centers proposed in the Master Plan would support tourism efforts of this kind.

<http://khon2.com/2016/09/26/president-obama-signs-native-tourism-bill-into-law>.

4. In 1878 the first section of the Maunawili ditch transported irrigation water from upper Maunawili valley into Waimanalo valley. By 1969 it delivered approximately 2 mgd of water to Waimanalo. (Water Resources Of Windward Oahu, Hawaii July 1969)

The DEIS should provide a history of water diversions from the Kailua watershed and an update on the status of the irrigation system.

5. A June 2, 2016 Hawaii News program reported excavation on state land in the area of the Master Plan's proposed canoe loading and launching site. A near-by resident was quoted as saying: "They basically opened up a highway to our houses". Officials with the State Department of Land and Natural Resources (DLNR) said the work project was "legal and above

board” and “a great day (for) about 70 volunteers, mostly women canoe paddlers and their families”.

The DEIS should address: (a) under what circumstances (if any), the public, including adjacent neighbors and schools, should be notified of significant vegetation removal in Kawainui-Hamakua, and (b) the type of permits required for excavation work on the banks of Kawainui-Hamakua wetlands.

6. Kawainui was once rich with “the delectably fat mudfish” or ‘o’opu ku’ia.

The DEIS should identify the types of fish and other aquatic organisms that make Kawainui-Hamakua their home and DOFAW's management plans to protect and/or improve their habitat.

7. In 1953, Castle Estate provided the City with 10 acres for a dump in what was then known as “Kawainui Swamp”. Due to complaints from Kailua residents, open burning at the dump was stopped, and the City opened its first landfill across the street from it. Landfill activities alternated between the two sites. In 1972, a deep pit in the old quarry above the landfills became the next landfill. (Google: Refuse Disposal in Kailua)

As these refuse disposal activities occurred in and near Kawainui marsh, the DEIS should identify their locations, the types of pollutants they generated, and whether or not buildings are being proposed on or near the dump and landfills.

8. According to the USFAW, the Hawaiian duck (koloa) nests in herbaceous and/or woody vegetation in wetlands and associated uplands at elevations that range from the coastal plain to the mountain tops.

Given the range of possible breeding sites, the DEIS should specify areas of Kawainui and Hamakua that are potential nesting sites for koloa and the management plan they propose to protect these sites from disturbance from human activity and animal predation.

9. The DEIS should identify the number of acres under the Division of State Parks and provide a Figure showing their location within Kawainui-Hamakua.

10. The Hawaii State Park System is regulated under HRS Title 13, Chapter 146 of Hawaii Administrative Rules (HRS) which allows commercial activities in state parks by permit.

The DEIS should include:

- a. a definition of “commercial activity”, and “compensation”;
- b. the types of user fees that can be charged including but not limited to parking and entrance fees
- c. the types of motorized vehicles that can be granted a permit for use on state park lands

11. HRS Title 13, Chapter 146 allows the granting of permits for “special uses” which could include but are not limited to:

(a) day use permits and weddings

(b) activities such as assemblies, carnivals, celebrations, concerts, demonstrations, festivals, gatherings, meetings, pageants, parades, and other community or ethnic oriented events, or activities, or other spectator attractions that are open to the general public or to restricted groups.

The DEIS should state which of these activities would be permitted in Kawainui-Hamakua and which, if any would be prohibited.

The DEIS should clearly state the managements plans, if any, for the regulation of these public access activities.

12. The DEIS should define “group use permit” and clarify whether a group use permit is considered “one” permit when calculating the 100 permits per day limit in Kawainui and Hamakua.

13. Under HRS Title 13, Chapter 146, ( §13-146-41) “No person shall molest, disturb, injure, trap, take, catch, possess, poison, introduce, or kill any wild bird or mammal, or disturb their habitat except when authorized by federal, state, and county laws, ordinances, rules, and regulations.

The DEIS should explain the circumstances under which State Parks could grant permits for any of the above activities in Kawainui and Hamakua marshes.

14. The title of the Kawainui-Hamakua Master Plan Project has changed from having the word “marsh” in its title to having the word “marsh” removed and replaced by “complex” and then by “project”.

The DEIS should explain why the word “marsh” was removed from the title of the plan.

15. The Lani-Kailua Outdoor Circle (LKOC) has played an historic role in the protection and preservation of the natural, cultural and historic resources of Kawainui Marsh having worked with government officials, other non-profits, community groups and individuals to: educate the public on the impact dumping has on Kawainui's flood control capacity; prevent a sewer line from being placed in the wetland; remove an auto wrecker's operation; stop an industrial park from being built at the Wai'auia (ITT) site; and petition for Kawainui Marsh's eligibility for listing on the U.S. National Register of Historic Places, and a RAMSAR Wetland of International Importance.

The DEIS should recognize LKOC as a major stakeholder in the development of the Kawainui-Hamkua Master Plan Project.



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
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CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAIHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Pauline Mac Neil

dearpauline@hotmail.com

Dear Ms. Mac Neil:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your letter of October 24, 2016 on the Environmental Impact Statement (EIS) Preparation Notice (EISP) for the subject project. You have been added as a consulted party, and will receive a copy (CD) of the Draft EIS when published for review. We offer the following responses that are numbered to generally correspond to your bulleted comments.

1. The Draft EIS discusses the project's effect on historic and cultural sites within the Kawainui-Hāmākua project site, and identifies proposed mitigative measures. The Draft EIS also addresses the project's consistency with this community plan objective.
2. The application of the carrying capacity concept is somewhat flawed because it is derived from biological models of the capability of resources to sustain a given number of animals over a period of time in a particular place. This does not translate readily into the management of human recreational experiences. The carrying capacity concept is also viewed to be problematic in the sense that it implies that there is an absolute threshold of (for example) visitor numbers below which there is no or minimal impact. In addition, capacity in relation to one variable is only practically meaningful when related to other linked variables. For example, the size of visitors that can acceptably be accommodated within an area would be dependent on other factors such as the behavior of visitors, the age of the visitors, the applicability of support improvements (e.g. paths), quality of education material and guidance provided visitors, etc.

Projected visitors to Kawainui are at levels not expected to cause intolerable visitor experiences (e.g. overcrowding) or significant degradation of upland areas. Visitors would not be entering Kawainui's large wetland area or disturb endangered waterbirds, and access would be managed such as providing viewing opportunities at designated observation sites (e.g. viewing platforms). Acceptable visitor levels could also be much higher than that projected, but that doesn't mean efforts would be taken by DSP and DOFAW to now



increase Kawainui visitors up to maximum desired levels, such as now issuing commercial permits.

Rather than seeking to define the “correct” maximum capacity, a more feasible and practicable approach is to develop monitoring, planning, and management protocols based on levels of impact or changes that consider both the receiving environment and the visitor experience. Therefore, the level of acceptable change from these factors can be more appropriately evaluated. The management approach would be focusing on achieving objectives defined in terms of staying within maximum acceptable deviations, such as variation in ecological conditions, visitor experiences, etc. Management options and monitoring would be more practicable and feasibly implemented to evaluate whether the amount of change occurring can be tolerated, changes to visitor experiences and satisfaction, and when steps should be taken to prevent further undesirable changes. The management options discussed in the Draft EIS support these efforts.

3. The educational center would not utilize federal funding from the NATIVE Act for its construction because its objective and purpose would be more broad based instead of focusing on native Hawaiian cultural tourism. The cultural centers proposed would similarly not qualify for this federal funding because the centers constructed by and operated by non-profit organizations would not be allowed to participate in tourism activities as promoted by that Act.
4. The Draft EIS includes background information on the watersheds serving Kawainui and Hāmākua so that impacts attributed to the project can be addressed. This includes streamflow information associated with Maunawili and Kahanaiki Streams that flow into Kawainui. However, the history of water diversions is not pertinent to this project and addressing impacts from the project within Kawainui and Hāmākua. DOFAW and DSP have no jurisdiction of areas outside (e.g. mauka) of the project site, which are privately-owned, and the project does not involve improvements to outside areas. Project improvements are based upon the project’s purpose and need. Requests for information on the history of prior stream diversions should more appropriately be coordinated with the State Commission of Water Resource Management.
5. It should be clarified that vegetation clearing work was conducted at the Kawainui State Park Reserve, Kalāheo Section site (park). It is not necessary for the Draft EIS to address public notifications of surrounding neighbors for vegetation removal activities. Clearing vegetation is already permitted as part of DOFAW’s and DSP’s maintenance activities for this project area. Having volunteers assist with these activities or as part of community service projects is beneficial, supports stewardship, and should be encouraged. The Draft EIS discusses proposed improvements at the Kalāheo site and identifies the types of permits required applicable to this project. Grading work as part of site development for implementing improvements at Kalāheo site would typically require a Grading Permit from the City.
6. The Draft EIS includes a biological study that addresses the type of fish and other aquatic resources present within the project area. Wetland restoration efforts would improve habitat for aquatic resources by creating more open water areas, and the Draft EIS discusses project effects on these resources.
7. The project does not include the City’s landfill areas because this is outside the project site, and no improvements are proposed for those properties. You can check with the City to get more information on the history of those areas.

8. Key habitat for the Koloa maoli (Hawaiian Duck) primarily occurs within wetland habitat, ponds, and streams. Restoration of Kawainui's wetland and improvements to Hāmākua's wetland would support improving habitat for this waterbird. Hybridization with feral mallards is the primary threat to the recovery of this species, along with potential damage to habitat by invasive mammals (e.g. pigs, mongoose). Nesting sites within upland areas of Kawainui would not likely occur, and visitors to Kawainui are not expected to have a significant impact on their habitat. The Draft EIS discusses project improvements supporting their habitat, management activities such as fencing around wetland areas and predator control trapping, and the project's effect on this waterbird.
9. The Draft EIS includes information identifying those areas and acreage under the jurisdiction of the DSP.
10. While Chapter 146, HAR allows commercial activities within State Parks, these activities must be conducted under a permit or lease and approved by DLNR. Any user fees charged by DSP or the non-profit organization(s) operating the education center would be determined as part of a lease agreement. The design of the facility, operational program, staffing, and selection of non-profit organization are just a few of factors that would need to be considered in structuring any fees. The mode of transportation for most of the visitation is expected to be buses for participation in the education programs and cars, both privately-owned vehicles and rental cars.
11. Permits for special uses may be issued by DSP, but would not include commercial tours under this project. Therefore, no parking for commercial buses will be provided at the education center. Other special permits can include guidelines and restrictions for visitation. However, activities allowed would be related to educational programs, cultural programs, limited canoe launches from the Kalāheo site for schools and canoe clubs, and community or service learning activities. DSP would evaluate such requests and evaluate their appropriateness based upon these factors. The Draft EIS discusses various management practices that would be implemented to effectively manage visitors to Kawainui.
12. DOFAW is authorized to permit up to 100 commercial visitors a day to areas within Kawainui's wildlife sanctuary under their administrative rules. DOFAW has not issued such permits thus far. If DOFAW does decide to issue such permits in the future, whether one or multiple permits are issued would be determined at the appropriate time after evaluating requests. The pertinent factor regarding such permits would be the total 100 visitors daily limit. DSP requires a Special Use Permit for any activity involving more than 25 people.
13. There would not be circumstances where DSP would issue permits for allowing such activities identified in their rules you note.
14. The word "Marsh" doesn't need to be included in the project title. The Draft EIS identifies the Kawainui Marsh Wildlife Sanctuary in the introduction, and indicates the shortened reference "Kawainui" is used in the document. The "marsh" wording does not have a relation to the intent of the project's proposed conceptual plans.




15. We appreciate the Lani-Kailua Outdoor Circle's involvement in activities associated with Kawainui over the years. That organization has been an important stakeholder in community consultations on this project, and would continue to be one along with the many other organizations that have been involved with Kawainui. All organizations, agencies, and individuals participating in the environmental review process are important, and the Draft EIS should not give special recognitions to selected organizations over others.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



 David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

October 23, 2016

HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, HI 96813

Attention: Ronald A. Sato

While growing up in Kailua in the 40s and 50s, all that “the swamp” was good for was producing mosquitoes. As kids, we would run behind the trucks spraying DDT. I also remember traveling the old Pali Road to Honolulu. We would pass by where Ulupō Heiau sits. You couldn’t see anything except the bushes. Yet, we knew that behind the green screen was a place of significance.

College took me to the mainland where I married and settled down. Through the years, I have been fortunate enough to visit many places of natural beauty. These have included the trails and boardwalks of the Mercer Slough Nature Park in Western Washington, the trails of The Turnbull National Wildlife Refuge in Eastern Washington. I have bicycled along the trails of the Rails to Trails Conservancy in Washington, Idaho and Montana. I have even taken a bicycle tour of the streets and parks in Madrid, Spain.

One of the observations I have always made is that these endeavors attract people who are dedicated to preserving the environment. I have met people from all over the world who are attracted to the beauty of a place and the desire to see it preserved for future generations.

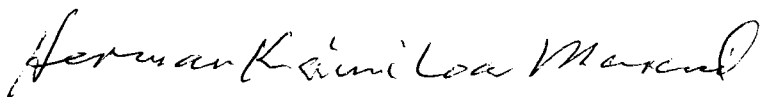
I have moved back to my home in Kailua. For the last six years I have been involved in helping to preserve and enhance both Nā Pōhaku o Hauwahine and Ulupō Heiau. I have seen the work started at Ke Kahua o Kūali‘i. I have met dozens of faithful advocates of restoration. We all have one task in mind: Preserving and perpetuating the cultural and religious significance of Kawainui. And, we all want to pass this legacy down to our keki and ōpio.

I regularly take friends, family and malihini on tours of Nā Pōhaku and Ulupō to introduce them to this wahi pana. I want them to hear the mo‘olelo, see the beauty and feel the mana.

Kawainui is not a swamp. It is a marsh that is the remnant of a loko i‘a with its surrounding lo‘i. It is a place to remember those who came before us, a place to honor Nā Akua and nā kupuna. It is a place that needs our intervention to survive the ravages of time and neglect. Ulupō is a place to think and pray. My kuleana is to help mālama the area and pass the aloha to future generations.

As a member of the Kailua Hawaiian Civic Club and ‘Ahahui Mālama i ka Lōkahi I support the master plan. I ask that structures that are needed for use by the organizations be included in the plans. A minimum of a secure storage area with a restroom and running water for workers at Ulupō should be included.

E aloha aku, e aloha mai,

A handwritten signature in black ink, reading "Herman Ka'imiloa Marciel". The signature is fluid and cursive, with the first name "Herman" being the most prominent.

Herman Ka'imiloa Marciel  
Kailua, Hawai'i

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. Herman Ka'imiloa Marciel  
kaimiloa@marciel.com

Dear Mr. Marciel:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 23, 2016 emailed to us providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We appreciate you sharing your personal history, time spent at Kawainui, and experiences with other trails and nature parks in the United States. We believe public access is important to support stewardship opportunities, cultural practices, educational programs, and passive outdoor recreation. The public should have the opportunity and to visit and experience this statewide resource of international importance. Proposed improvements are intended to support these objectives. We also believe that visitors attracted to Kawainui would similarly do so because of their interest in the environment, wildlife, Hawaiian culture, and nature. We greatly appreciate your efforts assisting non-profit organizations with restoration efforts and improvements at Nā Pōhaku and Ulupō Heiau.

We note your support for the project's master plan and structures supporting activities conducted by organizations. DOFAW shares your vision to preserve and perpetuate the cultural significance of Kawainui, and appreciates your continued efforts working with our community partners to mālama the area and pass its legacy to future generations.

A nursery planned for Ulupō Heiau under this project and a portion could be used as a secure storage area to support activities occurring there. Unfortunately, the restroom at Ulupō Heiau is currently not included in this project being studied in the Draft EIS. DOFAW and DSP agree that restrooms are important for supporting stewardship activities at Ulupō Heiau SHP and that the many stewards supporting cultural restoration efforts should have a bathroom facility.



Unfortunately, the area planned for bathroom improvements under the Draft Master Plan (June 2014) is privately-owned by the Windward YMCA. The project being studied in the EISPN only includes State-owned property associated with Kawainui and Hāmākua. It is inappropriate for this project to propose and study improvements for other privately-owned property because those owners have the right to determine their own future use. If DSP acquires some area within this Windward YMCA property in the future, DSP would develop separate plans along with conducting an environmental review. Such plans could then include restroom facilities for Ulupō Heiau.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

October 24, 2016

HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, HI. 96813  
ATTN: Ronald A. Sato, AICP, Senior Associate

State of Hawaii Division of Forestry and Wildlife  
Department of Land and Natural Resources  
P. O. Box 621  
Honolulu, Hawaii 96809  
ATTN: Ms. Marigold S. Zoll, Oahu Forestry & Wildlife Manager

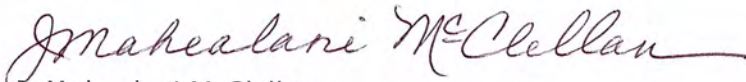
Aloha,

I am writing to providing comments on the Environmental Impact Statement Preparation Notice for the Kawainui-Hamakua Master Plan Project. As background, my 'ohana has a historic tie to the community of Kailua and its environs because of our more than sixty plus years of residency here. Three generations (and counting) of our family have lived in Kailua, and we are Native Hawaiian, with genealogical ties back many, many generations.

Therefore, I wish to be a consulted party and have the following comments.

- Who are the individuals being consulted on this Plan? Please name them, not just their organizations.
- What multi-generational Kailua families were consulted and submitted input into this Plan? Provide names.
- How are the formulators of this Plan ensuring that ALL Native Hawaiian organizations are consulted equally, without prejudice, and above all, are approached equitably during all parts of the EIS process?
- Provide details of an ahupua'a management system of Kawainui resources
- How will climate change affect Kawainui related to this proposal?
- What private organizations will be allowed to conduct business on State lands in this Plan?.
- Has a hydrology study been conducted to give a current baseline of bacteria and contaminants in Kawainui, and how those numbers will change with the proposed development? If not, why not?
- What impact will the construction of the proposed Educational Center at Pohakea and the proposed Cultural Center across from the Kapa'a Transfer Station have on the water quality of Kawainui?
- How will sediment runoff during the construction of buildings and boardwalks be addressed?
- What impact will construction of all of the proposed buildings have on the wildlife of Kawainui?
- What are the estimated number of tourists that are anticipated to be drawn to Kawainui through the implementation of this Plan?

- What is the anticipated impact on vehicular traffic, surrounding Kawainui, at Ulupo Heiau and in the town of Kailua itself due to this anticipated increase in tourist numbers?
- What is the foreseen impact that the increase in vehicular traffic runoff will have on the water quality of Kawainui?
- What is the foreseen impact of increased vehicular and pedestrian traffic on the way of life for the residents of Kailua?
- What is the foreseen impact that the increase in tourism will have on the ability of residents to move freely into and out of Kailua?
- What is the foreseen impact that the increase in tourism will have on the ability of residents to access Kailua's beaches?
- What is the foreseen impact that an increase in visitors will have on the affordable rental market for residents?



J. Mahealani McClellan  
634 Olomana Street  
Kailua, Hi. 96734  
[mahealanimcc@hawaiiantel.net](mailto:mahealanimcc@hawaiiantel.net)



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
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NOV 24 2017

Ms. J. Mahealani McClellan  
634 Olomana Street  
Kailua, HI 96734

Dear Ms. McClellan:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your letter sent October 24, 2016 on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. You have been added as a consulted party, and will receive a copy (CD) of the Draft EIS when published for review. We offer the following responses that are numbered to generally correspond to your bulleted comments.

1. The Draft EIS will include a list of organizations and individuals who were consulted with on the EISPN, and who have provided written comments. Copies of all comment letters received are included in the appendix of the Draft EIS. For organizations, you can refer to the comment letters received to identify who submitted their letter.
2. In addition to the organizations and individuals consulted as discussed under Response No. 1 above, the Draft EIS includes a Cultural Impact Assessment (CIA) that lists individuals consulted. Generational background information on individuals from Kailua are not required under this environmental review process, which is open to all.
3. The master planning process identified known native Hawaiian organizations (NHO) to provide them with an opportunity to participate. That consultation process, which also included several public informational meetings, are discussed in the 2014 Draft Master Plan report. The EISPN is published through the State Office of Environmental Quality Control's (OEQC) public notification process that is open and available to all, and participants in the master planning process were notified of the availability of this EISPN as well, which includes NHO's identified. The environmental review process doesn't require that all NHO's be consulted, but ensures that a reasonable opportunity is provided for interested NHOs and the public to participate in the process, if they choose to do so, such as through OEQC's public notification. All NHO's participating in the environmental review process are consulted equally, without prejudice, and fairly in a reasonable manner.
4. An ahupua'a management system for Kawainui is not reasonable or feasible for implementation because the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP) only have jurisdiction and control over



the project site. Areas mauka and makai of Kawainui's project site are owned by others. The Draft EIS discusses the proposed management system within the Kawainui project site.

5. The Draft EIS addresses climate change in the form of sea level rise impacts to the project. Based upon Geographic Information System (GIS) data from NOAA's web viewer, a 3-foot projected sea level rise would only affect low lying areas along the levee, wetlands at Wai'auia, and increase water levels at Hāmākua's wetland. The Draft EIS includes more information addressing this.
6. DOFAW and DSP are looking to increase partnerships with non-profit organizations to support stewardship of areas, curatorship opportunities to supplement management activities, and educational programs for project areas that support their agency missions. Areas designated to support cultural practices would be constructed and operated by non-profit organizations selected through the State's open and competitive procurement process, such as a Request for Proposals solicitation. This may also include the education center, if not constructed and operated directly by DSP.
7. The Draft EIS addresses the hydrology for the project area and includes information on water quality sampling results. There is a number of previous studies that provide such information on water quality in the project area. An updated water quality study has also been conducted, and the results with the project are included in the Draft EIS.
8. The education center at Pōhakea and the cultural center at Kapa'a would have minimal effect on water quality within Kawainui's wetland. The Draft EIS includes more information addressing the project's water quality impacts.
9. The Draft EIS discusses the short-term effects of construction related activities related to sediment discharge associated with storm water runoff. Best management practices implemented to minimize such impacts are discussed in more detail in the Draft EIS.
10. Wetland restoration efforts are intended to improve habitat for endangered waterbirds because Kawainui's present condition does not provide suitable habitat. The vast majority of birds present at Kawainui are alien species and common to Hawai'i. Mammalian species present are alien with all of them being deleterious to native ecosystems. Wildlife would not be negatively impacted by buildings, especially when most birds are alien species, and mammals present are harmful to the ecosystem. The Draft EIS discusses impacts on wildlife in greater detail.
11. The Draft EIS includes discussion of the projected numbers of visitors and users (e.g. educational programs participants) at Kawainui.
12. The Draft EIS includes a traffic impact analysis report that addresses the project's impact on major intersections around the Kawainui project area. Information on the existing level of visitors at Ulupō Heiau is discussed under the description of project improvements. Existing and projected visitors would continue to be fairly low at Ulupō Heiau, and the level of visitor activities already occurring should not change much because as only minimal improvements are planned at the heiau site.

We understand the concerns and general opposition you have with the level of visitors to Kailua, and changes that may attract more visitors to Kailua. The majority of visitors projected at Kawainui are anticipated to be persons making an incidental stop there, who are already traveling to Kailua for other primary reasons. The Draft EIS discusses the background associated with this issue, which is attributable to



- several factors. Kailua's renowned beaches and ocean recreational activities continue to be the main attractions for both visitors and island residents to this area. Kailua's changing commercial town is also attracting visitors due to available boutique shops and restaurants. It is thus not feasible or practicable to quantify the increase of traffic from visitors within the large Kailua town area. As visitors enter Kailua town, they would disperse, using a wide range of available roadways, over several hours during the day to reach their desired destination. However, the number of new visitors generated directly from the project (about 40 persons a day) should not have much effect on traffic when spread out through Kailua and over the course of a day.
13. Increased traffic due to the project would not have a significant impact on water quality in Kawainui. This wetland receives storm water discharges from several surrounding roadways and inland areas via streams, and has been processing nutrients and other chemicals as part of a wetland's function for many years. The Draft EIS includes more information addressing this.
  14. The project would not impact the demographic character of Kailua because it would not change housing units or the resident population. Traffic effects from the project would not significantly affect the way of life for Kailua residents, and response No. 12 explained more on this issue. The concerns with visitors affecting the way of life for residents are primarily due to other factors (e.g. renowned). The project would have minimal effect on pedestrian traffic in Kailua town. Pedestrian activities from the project would primarily be associated with visitors using the pedestrian path around Kawainui for exercise and/or wildlife viewing. Given the location of Kawainui outside of Kailua town, visitors would park at designated areas to access the pedestrian trail.
  15. The level of new visitors to Kailua resulting from the project is small and would have minimal effect on the ability of residents to move into and out of Kailua as already discussed under responses No. 12 and 14.
  16. The level of new visitors to Kailua resulting from the project is small and would have minimal effect on the ability of residents to access Kailua's beaches.
  17. The project is not anticipated to have any impact on the affordable housing rental market for residents. The project does not include new residential housing projects or visitor accommodations, and would not influence the resident population of Kailua.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



## Ronald Sato

---

**From:** john mcnelly <jcmcnell@hawaii.rr.com>  
**Sent:** Friday, October 21, 2016 7:23 AM  
**To:** Ronald Sato  
**Subject:** Hamakua=Kawaiui Marsh Plan

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

I agree with and support the position on the issue presented in Rep. Cynthia Theilen's letter to the HHF dated October 19, 2016. As a devoted naturalist, I feel strongly that we MUST protect this unique natural resource and avoid over-exposure and over-use. It too precious to lose.

John McNelly Kailua 341-9724

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GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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LAND  
STATE PARKS

NOV 24 2017

Mr. John McNelly  
[jcmcnell@hawaii.rr.com](mailto:jcmcnell@hawaii.rr.com)

Dear Mr. McNelly:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email sent October 21, 2016 on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We note your support of the position expressed in Representative Cynthia Thielen’s letter dated October 19, 2016, which she apparently made available to you. You can refer to our response letter to Representative Thielen’s letter included in the appendices of the Draft EIS.

We would like to clarify that the ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a very degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua. The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and regulatory requirements for public access and outdoor recreational opportunities. The Draft EIS discusses improvements and the condition of Kawainui’s wetland in more detail.

Ramsar supports sustainable tourism, recreational use, and cultural practices within designated wetlands. Ramsar views sustainable tourism as maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (pedestrian trails, education center, etc.) supporting these aspects recognized under Ramsar. Kawainui has history, cultural significance, etc. that have also been considered and contributes to the conceptual plan improvements being proposed. The Draft EIS includes more information on public access improvements and proposed management activities.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



## Ronald Sato

---

**From:** Manning or Montgomery <manninga001@hawaii.rr.com>  
**Sent:** Tuesday, October 25, 2016 1:10 AM  
**To:** Ronald Sato; Marigold.s.zoll@hawaii.gov; Aalto, Anthony  
**Subject:** Kawainui-Hamakua Complex Draft Master Plan EIS

Ronald A. Sato, AICP, Senior Associate

HHF Planners

Marigold Zoll, O'ahu Forestry and Wildlife Manager

State of Hawai'i Division of Forestry and Wildlife

Department of Land and Natural Resources

Re: Kawainui-Hamakua Complex Draft Master Plan EIS Public Notice October 24, 2016

This master plan would greatly benefit the public by providing for accessible education facilities, trails, and viewing platforms for outdoor learning experiences for all ages.

The Kawainui Marsh has so much potential for getting people involved with a magnetic landscape in so many positive ways.

I recall that in 1980 Muriel Seto urged the encroaching floating mat of weeds be removed to increase open water fish and bird habitat and rebuild an intrinsic vitality in the wetland. Composting could be done with floating mat plants like hyacinth and papyrus. Perhaps even generating economic opportunities which help restore open water via innovative approaches that have environmental benefits while creating new products for compost markets.

Food sustainability will be aided due to the great potential to grow ulu as food around the slopes of the marsh.

Please promote more scientific information gathering about the edible jelly (lepo ai ea) in the marsh that was known in ancient & early historic times to be a food.

I hope to follow this EIS Public Notice with more supporting comments. Mahalo,

Steven Lee Montgomery, Ph. D.  
Sierra Club Member  
94-610 Palai Street, Waipahu, Hawai'i 96797-4535 USA

email <[manninga001@hawaii.rr.com](mailto:manninga001@hawaii.rr.com)>  
cell 808-342-6244

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GOVERNOR OF HAWAII



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STATE PARKS

NOV 24 2017

Dr. Steven Lee Montgomery  
94-610 Palai Street  
Waipahu, Hawai'i 96797-4535

Dear Dr. Montgomery:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your email sent October 25, 2016 on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We acknowledge your comment that the master plan would greatly benefit the public by providing accessible education facilities, pedestrian trails, and viewing platforms for outdoor learning experiences for all ages. We believe public access is important to support stewardship opportunities, cultural practices, educational programs, passive outdoor recreation, and to visit and experience this statewide resource of international importance. Proposed improvements are intended to support these objectives and create opportunities for the community to get involved supporting these efforts.

Wetland restoration activities are discussed in more detail in the Draft EIS, and vegetation removed would be processed on site or taken to a vegetation processing center. Material processed could be used for composting as part of upland reforestation activities.

DOFAW supports food security, food-forests and agroforestry. The Division has planted ulu and banana trees at Kawainui, and are open to other agroforestry efforts. Currently, lo'i kalo and other traditional crops are grown around Nā Pōhaku, Pōhakea, and Ulupō Heiau as a component of educational and cultural practices. The project's conceptual plans would support continuation of these activities, and also allow for such activities to be conducted at the cultural center planned at Kapa'a. However, larger scale agriculture or aquaculture production as part of food sustainability for the community or public needs to be balanced with the need to protect and manage native wildlife species. Food production activities would be encouraged where appropriate, but will be limited in scope due to relatively limited land area and the need to manage native species as part of the mix. Activities considered commercial agricultural production that would conflict with native species' habitat restoration would not be compatible.



Kawainui's wetlands are flood-prone, and intended to serve as habitat for endangered waterbirds as part of the State's wildlife sanctuary, both of which would conflict with larger scale agricultural production and activities.

The edible jelly (*lepo ai ia*) once believed to be found in Kawainui is discussed briefly in the archaeological and cultural resource studies. DOFAW agrees that further research into this would be informative and could be pursued as part of future educational programs and scientific research conducted within Kawainui.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

## Ronald Sato

---

**From:** Janice Nakama <pulamahia@icloud.com>  
**Sent:** Sunday, October 23, 2016 6:07 PM  
**To:** Ronald Sato  
**Cc:** Marigold.S.Zoll@hawaii.gov  
**Subject:** Letter of Support for the Kawainui-Hamakua Master Plan Project

Aloha Mr. Sato and Ms. Zoll,

I support conducting an Environmental Impact Study and support the Kawainui-Hamakua Marsh Complex Plan in its entirety because of the following invaluable educational, recreational, cultural, and environmental gains:

\*The plan would accomplish restoration of the wetland ponds, thus opening up areas for endangered birds, fish, and estuary organisms. \*The master plan would enhance educational access and quality by providing education facilities, trails, and viewing platforms for hands- on learning experiences.

\*The marsh plan recognizes that the Hawaiian presence, along with native Hawaiian cultural/educational centers at the marsh, is the key to its restoration and preservation, the continuation of educational and stewardship programs, and preservation of cultural sites there.

The plan confirms, not denigrates, this wetland and will restore it to some of its ancient preeminence. It has survived all the centuries of use, neglect and abuse, but still functions as a living organism, waiting to be restored to fuller utilization. It deserves to be shared, not fenced off, or relegated to secondary status. It deserves the respect and restorative efforts that the Kawainui-Hamakua Marsh Complex Plan provides and sanctions.

Three important things the Master plan fails to address are:

1. Food sustainability and the potential to grow native foods in and around the marshes and
2. Establishment of minimum stream flows required to maintain the health of the marsh and its tributary streams as required by § 174C-71 protection of instream uses.
3. US Army Corps of Engineers and DOFAW need to construct an underground conduit passage for the flow of water from Kawainui into the Hamakua Canal to re-establish managed water flow, and improve the water circulation and health of Kaelepulu Stream.

Sincerely,

Janice Nakama  
1031 Ala Napunani Street #703  
Honolulu, Hawai'i 96818

--

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DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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ROBERT K. MASUDA  
FIRST DEPUTY

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DEPUTY DIRECTOR - WATER

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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Janice Nakama  
pulamahia@icloud.com

Dear Ms. Nakama:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email dated October 23, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We appreciate your support of the conceptual plans proposed for the Kawainui-Hāmākua Master Plan project, and the Draft EIS will document the probable impacts associated with this project. We concur that the project's proposed improvements would support restoring the ecological character of Kawainui and Hāmākua through wetland restoration and upland reforestation.

Other improvements would support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), regulatory requirements for public access and outdoor recreational opportunities, and increase educational programs and stewardship opportunities. The plan recognizes Kawainui's importance to native Hawaiian culture, and provides non-profit organizations with an opportunity to establish a permanent presence to conduct cultural practices, educational programs, and participate in the stewardship of this resource and cultural sites. We concur that this resource of State importance should be shared with the public to facilitate education, cultural practices, and outdoor recreation.

We have the following numbered responses to your comments on the master plan.

1. DOFAW supports food security, food-forests and agroforestry. The Division has planted ulu and banana trees at Kawainui, and are open to other agroforestry efforts. Currently, lo‘i kalo and other traditional crops are grown around Nā Pōhaku, Pōhakea, and Ulupō Heiau as a component of educational and cultural practices. The project's conceptual plans would support continuation of these activities, and also allow for such activities to be conducted at the cultural center planned at Kapa‘a. However, larger scale agriculture or aquaculture production as part of food sustainability for the community or public needs to be balanced with the need to



protect and manage native wildlife species. Food production activities would be encouraged where appropriate, but will be limited in scope due to relatively limited land area and the need to manage native species as part of the mix. Activities considered commercial agricultural production that would conflict with native species' habitat restoration would not be compatible. Kawainui's wetlands are flood-prone, and intended to serve as habitat for endangered waterbirds as part of the State's wildlife sanctuary, both of which would conflict with larger scale agricultural production and activities.

2. The establishment of minimum stream flows to protect the public interest in State waters, as discussed in § 174C-71, Hawai'i Revised Statutes, aligns with DOFAW's mission to protect watersheds and native ecosystems, which include Kawainui's streams and tributaries. The establishment of permanent standards is determined on a stream-by-stream basis by the Commission on Water Resource Management (CWRM). The project does not need establishment of these standards as a means of achieving its agency mission or project objectives. Wetland restoration efforts to remove the invasive growth of vegetation is more pertinent to restoring the health of this resource, and to support its function for flood control. Restoration improvements are proposed to achieve these goals. The project does not include any diversions of water that could impact stream flow.
3. The permanent water flow restoration between Kawainui's wetland and Kawainui Stream (also known as Hāmākua Canal) traveling towards Hāmākua will not be included as part of this project. We understand that a 2015 planning study explored the possibility of restoring partial water flow from Kawainui's wetland into Kawainui Stream. DOFAW would be evaluating the results of this experiment and other possible implications to their wetland restoration efforts to determine if they would want to alter this water flow change in the future. Such a project would need to be coordinated with other government agencies, and appropriate environmental studies and permitting would be pursued at that time.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



fr

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

October 22, 2016

You have heard all the valid reasons not to encumber the marsh with buildings, parking lots, and paths. The result would lead to, among other things, public overuse, inadequate maintenance and pollution from traffic (human and auto). Lack of fresh water availability is also problematic. Inadequate oversight is already jeopardizing all too many places around the Islands.

The first and foremost priority should be the proper restoration and care of the area which, in itself is a huge ongoing job. Don't add to it unnecessary intrusion. Only educational tours, conducted and overseen by proper personnel should be considered at this time.

The primary purpose of restoring the marsh is not to provide a place for humans. It is to take back an important natural filtering system and native bird habitat that has been destroyed by human encroachment and neglect.

Whatever it takes to do it properly is a very worthwhile and overdue endeavor.

Thank you,

Mary Louise O'Brien  
44-686 Kahinani Place  
Kaneohe, HI 96744  
Ph: 247-4382





DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

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NOV 24 2017

Ms. Mary Louis O'Brien  
44-686 Kahinani Place  
Kāne'ohe, Hawai'i 96744

Dear Ms. O'Brien:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 22, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

DOFAW agrees that a priority should be restoration of wetland areas and upland reforestation, which are large tasks as you indicated. The majority of our resources within the project area would continue to be dedicated to wetland restoration activities. We understand the concerns and general opposition you have with visitors to Kailua, and changes that may attract more visitors to Kailua reflected in your comments.

However, the project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and regulatory requirements for public access and outdoor recreational opportunities, and cultural practices. It should be noted that Ramsar supports sustainable tourism, recreational use, and cultural practices within designated wetlands of international importance. Ramsar views sustainable tourism as maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (pedestrian trails, education center, etc.) supporting these aspects recognized under Ramsar. Project improvements also support ongoing and new stewardship activities and opportunities, and provide opportunities for the public to experience and learn about the wetland areas through trails, viewing platforms, and an education center.

The Draft EIS discusses the project's effect on the environment, which includes vehicle traffic and the hydrology of the area. The Draft EIS includes more information on proposed management activities to address public access improvements.

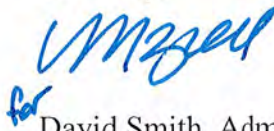


Wetland restoration efforts are intended to improve habitat for endangered waterbirds because Kawainui's present condition does not provide suitable habitat. The vast majority of birds present at Kawainui are alien species and common to Hawai'i. Mammalian species present are alien with all of them being deleterious to native ecosystems. The Draft EIS discusses impacts on wildlife in greater detail.

Rather than being an intrusion, we believe that the educational, cultural and recreational proposals will further public appreciation of Kawainui and Hāmākua, and ensure that there is a next generation of stewards who are knowledgeable and engaged.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



for David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

**Letter of support for the Kawainui-Hāmākua Master Plan Project**  
Response to Environmental Impact Statement Public Notice (EISPN)

Aloha kākou e Mr. Sato & Ms. Zoll,

‘O Maya L. Kawailanaokeawaiki Saffery ko‘u inoa. He pua nō au no ke ahupua‘a ‘o Kailua e ulu a‘e nei i Kamakalepo i loko lilo o ke awāwa uluwehi o Maunawili. My name is Maya L. Kawailanaokeawaiki Saffery, and I was born and raised in the Ko‘olaupoko district of O‘ahu in the ahupua‘a of Kailua on the ‘ili ‘āina of Kamakalepo in the back of the valley of Maunawili. In response to the Environmental Impact Statement Public Notice (EISPN), I am pleased to submit this letter of support for the Kawainui-Hāmākua Master Plan Project and the important next step to complete an Environmental Impact Statement (EIS).

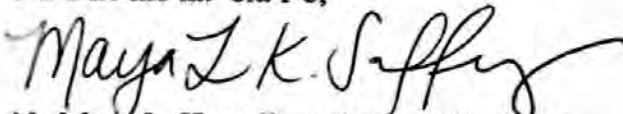
As a practitioner of traditional hula, I have a kuleana to present hula on the land for the purpose of honoring the place and remembering the people and events connected to that place. The Kawainui-Hāmākua Master Plan Project will allow hula practitioners of Kailua like myself to fulfill this kuleana because it provides for the restoration and revitalization of cultural and natural resources related to our wahi pana (sacred sites) of Kawainui and Hāmākua.

As a Hawaiian language curriculum developer from the University of Hawai‘i at Mānoa, I strive to engage students in culturally grounded curricula and pedagogies that honor and nurture the Kanaka-‘āina (person-land) relationship and that are based in our Native language and immersed in our Native places and practices. I am excited about upcoming opportunities that the Kawainui-Hāmākua Master Plan Project will offer educators like myself to develop curriculum about Kailua for Kailua’s children who will benefit greatly from engaging directly with the places that will be restored, managed, and cared for as part of the master plan.

Finally, as a Kanaka (native Hawaiian) of Kailua who is genealogically connected to this ‘āina, I have a kuleana to sustain a meaningful and reciprocal relationship with my homeland. This means that I must be able to physically access and engage regularly with the sacred places of my ahupua‘a. The Kawainui-Hāmākua Master Plan Project will help to facilitate this engagement by providing space for Kānaka of Kailua to have a permanent, prolonged presence throughout our ahupua‘a from Ulupō to Wai‘auia and Mokulana, Kahanaiki to Nā Pōhaku o Hauwahine, Kapa‘a to Kalāheo, Hāmākua to Pu‘uoeu. By returning to the land, reviving our cultural and spiritual practices on the land, and speaking our Native language on the land, we can move towards a future where Kānaka flourish and our Native voices and knowledges matter.

For all these reasons, I strongly support the Kawainui-Hāmākua Master Plan Project as well as the plan to move forward with the Environmental Impact Statement (EIS) process. If you have any further questions, please do not hesitate to contact me ([mayakawailana@gmail.com](mailto:mayakawailana@gmail.com)).

Na‘u nō me ka ‘oia‘i‘o,



Na Maya L. Kawailanaokeawaiki Saffery



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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NOV 24 2017

Ms. Maya L. Kawailanaokeawaiki Saffery  
[mayakawailana@gmail.com](mailto:mayakawailana@gmail.com)

Dear Ms. Saffery:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email sent October 18, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPEN) for the subject project.

We appreciate your sharing your background and personal experiences and cultural ties with the Kawainui-Hāmākua project area. We appreciate your support for the project and concur that wetland restoration and upland reforestation efforts would help restore the ecology of this resource, and other improvements proposed would support cultural practices, stewardship, and educational programming.

Creating opportunities for educators to integrate Kawainui-Hāmākua into educational programs for students as well as adults through managed public access and support facilities is one of this project's important objectives. Non-profit organizations, schools, and others involved in stewardship, curatorship, education, and other activities have proven to be strong and committed partners with DOFAW and DSP.

Improvements supporting public access would support your ability to access this area to conduct cultural practices, educational programs, and to enjoy viewing and appreciating this resource. Areas designated to support development of cultural centers would further support your ability to engage with non-profit organizations to participate in cultural practices and activities. Supporting native Hawaiian cultural practices is another important objective of this project.



Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

October 26, 2016

To Whom It May Concern:

I support conducting an Environmental Impact Study and support the Kawainui-Hamakua Marsh Complex Plan in its entirety because of the following invaluable educational, recreational, cultural, and environmental gains:

\*The plan would accomplish restoration of the wetland ponds, thus opening up areas for endangered birds, fish, and estuary organisms.

\*The master plan would enhance educational access and quality by providing education facilities, trails, and viewing platforms for hands-on learning experiences.

\*The marsh plan recognizes that the Hawaiian presence, along with native Hawaiian cultural/educational centers at the marsh, is the key to its restoration and preservation, the continuation of educational and stewardship programs, and preservation of cultural sites there.

The plan confirms, not denigrates, this wetland and will restore it to some of its ancient preeminence. It has survived all the centuries of use, neglect and abuse, but still functions as a living organism, waiting to be restored to fuller utilization. It deserves to be shared, not fenced off, or relegated to secondary status. It deserves the respect and restorative efforts that the Kawainui-Hamakua Marsh Complex Plan provides and sanctions.

Three important things the Master plan fails to address are:

1. Food sustainability and the potential to grow native foods in and around the marshes and
2. Establishment of minimum stream flows required to maintain the health of the marsh and its tributary streams as required by § 174C-71 protection of instream uses.
3. US Army Corps of Engineers and DOFAW need to construct an underground conduit passage for the flow of water from Kawainui into the Hamakua Canal to re-establish managed water flow, and improve the water circulation and health of Kaelepulu Stream.

Feel free to contact me if you have any questions or concerns. Thank you very much.

Sincerely



Lori Paikuli-Stride

45-559 Luluku Rd.

Kane'ohe, HI 96744

[paikulistride.lori@yahoo.com](mailto:paikulistride.lori@yahoo.com)



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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CHAIRPERSON  
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ROBERT K. MASUDA  
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JEFFREY T. PEARSON, P.E.  
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STATE PARKS

NOV 24 2017

Ms. Lori Paikuli-Stride  
45-559 Luluku Road  
Kāneʻohe, HI 96744

Dear Ms. Paikuli-Stride:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, Oʻahu, Hawaiʻi**

Thank you for your letter dated October 26, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We appreciate your support of the conceptual plans proposed for the Kawainui-Hāmākua Master Plan project, and the Draft EIS will document the probable impacts associated with this project. We concur that the project's proposed improvements would support restoring the ecological character of Kawainui and Hāmākua through wetland restoration and upland reforestation.

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We have the following numbered responses to your comments on the master plan.

1. DOFAW supports food security, food-forests and agroforestry. The Division has planted ulu and banana trees at Kawainui, and are open to other agroforestry efforts. Currently, loʻi kalo and other traditional crops are grown around Nā Pōhaku, Pōhakea, and Ulupō Heiau as a component of educational and cultural practices. The project's conceptual plans would support continuation of these activities, and also allow for such activities to be conducted at the cultural center planned at Kapaʻa. However, larger scale agriculture or aquaculture production as part of food sustainability for the community or public needs to be balanced with the need to



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Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

October 26, 2016

To Whom It May Concern:

I support conducting an Environmental Impact Study and support the Kawainui-Hamakua Marsh Complex Plan in its entirety because of the following invaluable educational, recreational, cultural, and environmental gains:

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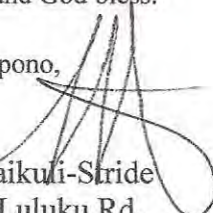
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3. US Army Corps of Engineers and DOFAW need to construct an underground conduit passage for the flow of water from Kawainui into the Hamakua Canal to re-establish managed water flow, and improve the water circulation and health of Kaelepu Stream.

Mahalo and God bless.

Malama pono,

  
Mark Paikuli-Stride  
45-559 Luluku Rd.  
Kane'ohe, HI 96744  
[mpaikulistride@yahoo.com](mailto:mpaikulistride@yahoo.com)





**STATE OF HAWAII**  
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STATE PARKS

NOV 24 2017

Mr. Mark Paikuli-Stride  
45-559 Luluku Road  
Kāneʻohe, HI 96744

Dear Mr. Paikuli-Stride

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, Oʻahu, Hawaiʻi**

Thank you for your email dated October 26, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPEN) for the subject project.

We appreciate your support of the conceptual plans proposed for the Kawainui-Hāmākua Master Plan project, and the Draft EIS will document the probable impacts associated with this project. We concur that the project's proposed improvements would support restoring the ecological character of Kawainui and Hāmākua through wetland restoration and upland reforestation.

Other improvements would support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), regulatory requirements for public access and outdoor recreational opportunities, and increase educational programs and stewardship opportunities. The plan recognizes Kawainui's importance to native Hawaiian culture, and provides non-profit organizations with an opportunity to establish a permanent presence to conduct cultural practices, educational programs, and participate in the stewardship of this resource and cultural sites. We concur that this resource of State importance should be shared with the public to facilitate education, cultural practices, and outdoor recreation.

We have the following numbered responses to your comments on the master plan.

1. DOFAW supports food security, food-forests and agroforestry. The Division has planted ulu and banana trees at Kawainui, and are open to other agroforestry efforts. Currently, loʻi kalo and other traditional crops are grown around Nā Pōhaku, Pōhakea, and Ulupō Heiau as a component of educational and cultural practices. The project's conceptual plans would support continuation of these activities, and also allow for such activities to be conducted at the cultural center planned at Kapaʻa. However, larger scale agriculture or aquaculture production as part of food sustainability for the community or public needs to be balanced with the need to



protect and manage native wildlife species. Food production activities would be encouraged where appropriate, but will be limited in scope due to relatively limited land area and the need to manage native species as part of the mix. Activities considered commercial agricultural production that would conflict with native species' habitat restoration would not be compatible. Kawainui's wetlands are flood-prone, and intended to serve as habitat for endangered waterbirds as part of the State's wildlife sanctuary, both of which would conflict with larger scale agricultural production and activities.

2. The establishment of minimum stream flows to protect the public interest in State waters, as discussed in § 174C-71, Hawai'i Revised Statutes, aligns with DOFAW's mission to protect watersheds and native ecosystems, which include Kawainui's streams and tributaries. The establishment of permanent standards is determined on a stream-by-stream basis by the Commission on Water Resource Management (CWRM). The project does not need establishment of these standards as a means of achieving its agency mission or project objectives. Wetland restoration efforts to remove the invasive growth of vegetation is more pertinent to restoring the health of this resource, and to support its function for flood control. Restoration improvements are proposed to achieve these goals. The project does not include any diversions of water that could impact stream flow.
3. The permanent water flow restoration between Kawainui's wetland and Kawainui Stream (also known as Hāmākua Canal) traveling towards Hāmākua will not be included as part of this project. We understand that a 2015 planning study explored the possibility of restoring partial water flow from Kawainui's wetland into Kawainui Stream. DOFAW would be evaluating the results of this experiment and other possible implications to their wetland restoration efforts to determine if they would want to alter this water flow change in the future. Such a project would need to be coordinated with other government agencies, and appropriate environmental studies and permitting would be pursued at that time.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

HHF Planners  
Attn: Ronald A. Sato, AICP, Senior Associate  
733 Bishop Street, Suite 2590  
Honolulu, HI 96813

State of Hawai'i  
Division of Forestry and Wildlife  
Department of Land and Natural Resources  
Attn: Marigold Zoll, O'ahu Forestry and Wildlife Manager  
P.O. Box 621  
Honolulu, HI 96809

SUBJECT: Public input regarding the EISPN for Kawainui-Hamakua Master Plan Project

As noted in the Kawainui Wetland Master Plan and the proposed EISPN: "This 986-acre project area in Kailua includes the Kawainui wetland and upland areas, Hāmākua Marsh Wildlife Sanctuary, and Pu'uoehu hillside. Proposed improvements are needed to support the Division of Forestry and Wildlife and the Division of State Parks efforts in achieving their agency missions, to sustain and enhance the natural and cultural resources associated with this area, and increase public access and outdoor recreational opportunities. Proposed improvements fall into three major categories:

- 1) natural resource management; 2) cultural resource management; and 3) educational and recreational initiatives. Natural resource management include wetland restoration, upland reforestation, storm water improvements, and support for management operations. Cultural resource initiatives would support traditional Hawaiian cultural practices in the area. Educational and recreational improvements would increase public access, provide passive outdoor recreational use, and support educational programs and stewardship."

I have multiple questions about the decisions and proposals contained in the EISPN. All my questions are tied to aspects of the proposed plan published on September 23, 2016 and **all questions are noted in bold type face.**

1. The draft plan was published in May 2014. The public review period for that master planning process has concluded, and public comments received were evaluated." (pg.1-1). Despite numerous requests and searches for the "evaluation" of public comments, I never found any substantive assessment of the desires of the larger Kailua community. There were significant concerns raised by various organizations, including (but not limited to) the Outdoor Circle, Kailua Neighborhood Board, and Thousand Friends. Question: **This EISP notice does not differ significantly from the 2014 draft plan, how (and what) concerns (environmental, infrastructure, and oversight) were addressed from the community?**

2. If the community concerns were rated as "not significant", **what evidence does HH&F have to rate the multiple environmental and oversight concerns as not having an impact on the watershed flora and fauna?** I request specific evidence of evaluation. In the Appendix A-1 of the Master Plan update (2014), pg. 4 states 78% of the attendees expressed their #1 wish and concern for the wetland is management which is "generally referred to as restoration, preservation, or protection of the marsh. Types of actions referenced were stewardship, removal of garbage and invasive plants, ethnobotanical

and cultural restoration, and lo'i and loko l'a". On page 19, 53% of the respondents stated "no cultural center: and 54% said "no education center". Despite a majority of attendees stating opposition to modern buildings in the wetlands, the presence of construction persists. **How does this plan address the NUMBER ONE concern for the public?**

a. Significant Criteria response #1: HH&F states, "The project is not expected to result in the loss or destruction of the project area's natural or cultural resources." As noted in the wetland master plan, there will be 66 acres of this wetland "developed" How **many square feet of the 66 acres will be developed, including buildings, infrastructure, and parking lots?** Question: **How many buildings are envisioned requiring foundations?** I differentiate between hale (with no permanent footprint) and buildings (foundations, electrical and plumbing) requirements.

b. Significant Criteria Response # 4: "The proposed wetland and habitat enhancements are intended to support native Hawaiian cultural practices and increase stewardship of areas in partnership with non-profit organizations." There are already 3 non-profit organizations with responsibility of different sections of the wetland.



On May 27, 2016, at a BLNR meeting, established a 5-year volunteer agreement with Ke Kahua O Kualī'i, 501(c)3, for 14 acres of Na Pohau o Huawahine section. This is the SAME agreement type issued by BLNR for the "Ahahui Malama I Ka Lokahi (AML) which is listed as "curator" for Na Pohaku section. The two agreements are IDENTICAL, yet HH&F lists the two organizations as different. **Why?**

This is outside the oversight of State agencies. From what I read in this proposed plan, one entity appears to be gaining oversight which is not consistent with community engagement. **Why is AML listed as a curator and Ke Kahua O Kualī'i listed as temporary?** Both have 5 year agreements through BLNR (granted on the same day. **Rather than dissolving these partnerships (some of which dedicated MANY years of selfless service), why not establish more formal relationships with and between the agencies to create a true watershed environment?**

c. Significant Criteria Response #4: "However, with the provision of new permanent structures, trails and pathways, it is likely that more people would visit the project area. Concerns have been raised by community members about the potential effects from more visitors and tourists to the area, unwanted commercial activity, and increased vehicular traffic, all of which could affect the economic and social welfare of the community." It is unlikely this scope of project will not have a large and long-lasting effects from unwanted (and illegal) commercial activity, increased vehicular traffic, and negative



impacts on the social welfare of the community. **Other than stating this “could” happen, what alternatives will be addressed (be specific please) to reduce the likelihood of these negative impacts?** Question 2 on this topic: **How will the issue of the access road (Kapa’a Quarry Road) be addressed?** I understand it is partly a private road and never intended to support heavy traffic and it is in extreme disrepair due to landfill and industrial park trucks.

d. Significant Criteria Response # 7 & 8: “The project should not result in substantial degradation to the quality of the surrounding environment.” And “This project should not have a significant cumulative effect on the environment or involve a commitment for larger actions.” Stating this “project” is small in comparison to the size of the wetland is an irrational and entirely insufficient response. There is a huge difference between restoration/preservation and development. This draft literally reeks of development. **Who will pay for these improvements? How will the upkeep of this area be maintained (State vs. private organizations)? How will commercial development be excluded from the Wetland without the presence of enforcement agents?**

e. Significant Criteria Response #11: “The project area is an environmentally sensitive area which includes the largest freshwater wetland in the state, and has been designated a Wetland of International Importance by the Ramsar Convention”. **Why would permanent structures be placed in an environmentally sensitive area? If this is the largest freshwater wetland in the State, why DECREASE the size by creating a border of buildings?** The earliest documents I found depicting Kawainui Wetland indicate a significant decrease in area over time by chipping away at the borders of the wetland, including a housing subdivision, churches, and YMCA off the Pali highway, the model airplane park and industrial complex off Kapa’a Quarry road. **What alternative locations are available to create an education center and other public/“tourist” support structures which would NOT require permanent buildings within the wetland borders?** Exhibit 1.1 Mauka aerial view of Kawainui shows it is literally surrounded by development. **Why more development to further decrease the watershed?**

Helber, Hasbert, & Fee, Planners, logo states, “Places for People”, but what about the rest of the inhabitants of these islands? Not everything is meant to be developed.

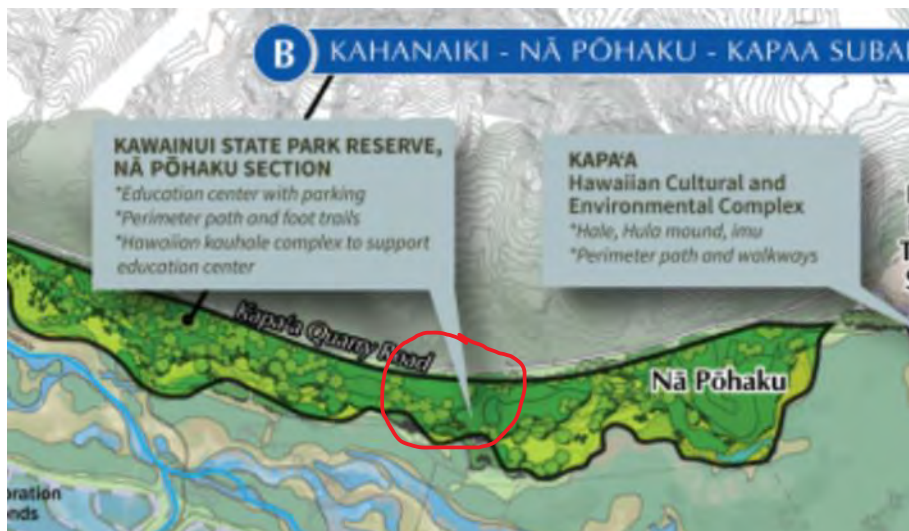
I find it interesting the cover photo for the Master Plan includes the silhouette of a protected water bird. If this plan is enacted...there will be no habitat for the rest of the creatures of the island, only another area opened to the public and tourism which will inevitably cause the death of the area like Hanama Bay Nature Preserve, Pu’u Loa petroglyphs at Hawaii Volcanoes National Park, and Maunawili Falls just to name a few.

On page 1-20, HH&F note the presence of the Corps of Engineers flood wall being used by the public. “The approximately 1.3- mile levee is used daily as a pedestrian and bicycle path by the public, although it wasn’t specifically designed to serve this function.” Each time I pass by this area, I note trash, graffiti, broken bottles and pet waste along the wall. I note people allowing their dogs to jump in the marsh water, chase water birds, and generally disobey leash laws. If this area cannot be maintained, how can a larger area be managed without significant resources? The “permanent presence of Native Hawaiian groups” does not equate to constant presence nor responsibility for maintenance of the area. **How will erosion caused by overuse/misuse by the public be addressed by this proposed plan?**

Page 2-3 “Increasing public access and allowing some passive outdoor recreational use is needed to comply with agency missions and regulatory requirements”. **Explain how this plan will allow “some**

**passive outdoor recreational use**". At numerous BLNR, DOFAW, and community meetings, it is glaringly apparent the State resources (DNLR) are woefully underfunded and undermanned to maintain any semblance of control. In effect, opening up Kawainui will sign its death warrant by overuse/misuse. **What controls will be placed to ensure "some" use?**

Page 2-6: "Many stakeholders and community members who participated in the master plan process expressed a desire to establish a permanent Hawaiian cultural presence at Kawainui and expand stewardship activities." **Who are the stakeholders wishing to establish a permanent Hawaiian cultural presence at Kawainui?** There are already community members and non-profits engaged in restoration efforts. **How will a "permanent presence" benefit the public?** From what I read in the proposed plan, a SINGLE group is lobbying for control of this sacred and sensitive space. **How is this in keeping with the intent of benefiting the public?** **How will this entity be funded to undertake conservation efforts?** **Who will decide which agencies/organizations can conduct stewardship activities?** As this time, BLNR executes volunteer agreements with non-profits to conduct stewardship/restoration activities. If an external agency/organization is given authority and oversight, **how will corruption/favoritism be controlled?** **Is there a point when the community's concerns could remove this agency/organization from oversight if abuses are found?**



Page 2-11: The area noted for placement of an "Education Center with parking" is covered by a BLNR agreement with Ke Kahua O Kualī'i. **Why is AML group being given total oversight of this area?** There is no need for a brick and mortar building intruding into the watershed. The current plan put forth by Ke Kahua adequately addresses education, cultural activities, and stewardship.

Despite restrictions, there are endless examples of commercial activity in many (if not all) of the Preservation, Conservation, and open areas widely advertised on the internet. The depictions below indicate the challenges to Kawainui's fragile ecosystem.

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Given to the C&C of Honolulu by the Bishop Estate and opened for public use in 1927. In 1967, waters were declared a Marine Life Conservation District, prohibiting all take of marine resources, but a rapid rise in tourism led to an unsustainable level of visitation, reaching 10,000 people per day by 1987.



Tourist photos from Facebook. Not adhering to signs to stay on the boardwalk.



Maunawili Falls Trail erosion



Excerpt from a tourist's FB page indicates an expectation to get muddy, so "bring a change of clothes" and you can "toss your muddy shoes over the lines to show you finished!"

*There are numerous examples of lack of foresight and stewardship of our natural areas similar to the sad story of the "orphaned" Maunawili Falls trail:*



Photo Hawai'i Federation  
of Republican Women,

Respectfully submitted,

*Teresa A. Parsons*

Teresa Parsons  
3072 Kahako Place  
Kailua HI 96734

(808) 295-6288  
Tapaka53@aol.com



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
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ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Theresa Parsons  
3072 Kahako Place  
Kailua, Hawai'i 96734

Dear Ms. Parsons:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your (undated) letter received via email on October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. We offer the following response to the numbered topics in your letter.

1. It should be clarified that the Draft Kawainui-Hāmākua Complex Master Plan published in May 2014 is a separate document from this EISPN. That Draft Master Plan included an Appendices that documents public informational meetings, community meetings, and includes comments received by the community during the preparation of that report. Since then, a summary of comments received on the draft master plan, with responses, and copies of all written comments was made available to the public and those submitting comments in August 2016. There were comments, questions, issues, and support raised by several organizations and individuals besides just those identified in your letter. This memo addressed modifications made to the master plan concepts based upon comments received. These documents can be found on the project web site at the following: <http://www.hhf.com/kawainui/>. Section 2.2 of the EISPN identifies several modifications made to the project since the draft master plan was published.

The master plan report is intended to describe the project and improvements proposed, but do not address the environmental and social impacts of the project. The EIS process addresses the impacts of the proposed project, which is reflective in the publishing of the EISPN initiating the review process and subsequent publication of the Draft EIS. The Draft EIS discusses the project's effects on the environment.

2. Community comments are not rated, but serve as input that is considered. There are no oversight concerns, and input on various environmental areas and issues are appreciated and are addressed in the Draft EIS. The Draft EIS addresses the hydrology and watershed serving the project site. Wetland restoration efforts are intended to improve habitat for endangered waterbirds because Kawainui's present



condition does not provide suitable habitat. The vast majority of birds present at Kawainui are alien species and common to Hawai'i. Mammalian species present are alien, with all of them being deleterious to native ecosystems.

Chapter 3 of the Draft Master Plan report (May, 2014) discusses the planning process and framework implemented in developing conceptual plans for this project. This process included obtaining public input as part of several public informational meetings, agency and stakeholder meetings, etc. Public input represents one element of this process along with other factors such as regulatory requirements, project needs, and assessment of existing conditions. Stewardship opportunities would be created as part of project improvements, which include areas designated for cultural centers. Educational programming would be supported by an educational center and other accessory improvements (e.g. bathrooms, shelter). Buildings are not being constructed within the wetland as Kawainui consists of both wetland and upland areas, some of which were used for ranching and a City baseyard. The appendices of the Draft Master Plan report summarizes and includes information on the results received from considerable public input. Development of the project's conceptual plans considered input received over the entire planning process (discussed in Chapter 3 of the draft master plan report), and not just from survey responders attending a particular public meeting. In addition, the interests of the entire State of Hawai'i needs to consider because Kawainui is a state-owned resource of international importance for the entire public.

- 2.a. It should be clarified that Kawainui consists of both wetland areas and surrounding upland areas as discussed in Section 1.4 of the EISPN. The 66 acres referenced in your comments are not wetland, but part of larger upland areas planned for program activities as discussed in Chapter 2 of the EISPN. There are no buildings proposed to be constructed within the wetland.

The design of buildings would be determined at the time improvements are implemented by DOFAW, DSP, and non-profit organizations developing cultural centers. Buildings could be designed using post and pier construction or concrete foundations. The type of foundation design for such buildings would have minimal effect on the overall environment. It should be clarified that hale designed using indigenous Hawaiian architecture do have foundations particularly for building post footings or walls. Similarly, the final size (acres or square feet) of parking areas developed would be determined during the design phase, when implemented. The Draft EIS includes information on parking areas and proposed number of stalls envisioned.

- 2.b. As discussed in Section 1.4.2 of the EISPN, the curatorship agreement for Ke Kahua is for an area identified as Pōhakea, that consists of upland area, not wetland, which was formerly used as a ranch. The "Nā Pōhaku Section" referred to in your comment is used to describe a large upland area that encompasses Pōhakea. The northern area of this section includes Nā Pōhaku o Hauwahine, and 'Ahahui Mālama I Ka Lōkahi has a curatorship agreement for this area with DLNR. These curatorship agreements are not outside the oversight of DSP, they include community engagement through educational and cultural programs conducted, and the Draft EIS includes more information on this. New curatorship agreements or extensions with longer time periods can be implemented by DSP with these organizations.



- 2.c. The project does not include commercial development for visitors. Proposed improvements should not have a significant negative impact on the social welfare of the Kailua community, and the Draft EIS discusses this issue in more detail. The Draft EIS includes a traffic impact analysis report that addresses the project's impact on major intersections around the Kawainui project area. The Draft EIS includes discussion of various management alternatives available to DOFAW and DSP to manage visitor activities at Kawainui. Hāmākua would not have issues with visitors because access would continue to be restricted by DOFAW, with the exception of authorized educational programs, activities, etc.

There is no issue associated with Kapa'a Quarry Road, and the Draft EIS includes more information associated with ownership of this road. Unfortunately, your presumptions on its use and condition are not correct. It is maintained by the City for public use and was even recently repaved and striped.

- 2.d. The discussions relative to significance criteria No. 7 and 8 of the EISPN do not make comparisons of the size of the project to the size of Kawainui's wetland. Again, it should be clarified that Kawainui consists of both wetland areas and surrounding dry upland areas. No construction of buildings or facilities would occur within the wetland. The Draft EIS discusses other alternatives that were considered, and proposed conceptual plans reflect modifications to initial plans in the Draft Master Plan report to reduce potential impacts and support management of activities within upland areas. Overall, projected visitors and activities should not have a significant impact on the wetland.

It should be noted that Ramsar supports sustainable tourism, recreational use, and cultural practices within designated international wetlands of importance. Ramsar views sustainable tourism as maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (e.g. pedestrian trails and education center) supporting these aspects recognized under Ramsar. Other Ramsar sites have well-designed education and visitor centers to support these objectives, and the proposed facility at Kawainui would be of a much more modest scale than others.

The Draft EIS includes information on estimated order-of-magnitude costs for improvements. Cultural center areas would be maintained by the non-profit organization developing them, the education center and kauhale complex would similarly be maintained by DSP or the non-profit organizations managing them, and other areas would be maintained by DOFAW or DSP. As already discussed, there are no commercial developments occurring within the wetland.

- 2.e. Please refer to response to 2.d. regarding Ramsar, which explains why an education center is planned within upland area that was formerly used as a ranch site for many years. Areas designated for cultural centers are also within upland areas, one of which was a former City baseyard facility. These centers would support cultural practices and educational programs, and provide stewardship opportunities to assist DOFAW with the management and maintenance of areas consistent with Ramsar. Upland areas are not pristine or environmentally sensitive areas, but areas needing much reforestation to address the expansive growth of invasive species that has overtaken it. Therefore, permanent facilities are not being placed in environmentally sensitive areas.



As already discussed, Kawainui consists of both wetland and upland areas. Wetland areas are not being decreased by construction of buildings because these structures are located within upland areas.

The education center would not be located within the wetland as discussed in the EISPN. Alternative locations for the education center within upland areas of Kawainui were considered and are discussed in the Draft EIS. Only certain sections of the pedestrian trails would include boardwalk across some wetland area, and a few observation decks could extend across a portion of the wetland to enhance visitor experience and student educational programs. These types of accessory improvements are common at several park sites.

Proposed program-related improvements support the project need and objectives, such as public access, outdoor recreation, and cultural practices. Improvements also support stewardship opportunities, educational programming, and provide the public with a managed approach to enjoy this state resource. These improvements would have minimal effect on the watershed, as discussed in the Draft EIS. The comment on the consultant's logo is not appropriate or pertinent to the project. The project is intended to improve habitat for endangered waterbirds as discussed in the EISPN, and the Kawainui-Hāmākua project site is just one of several other habitats being restored and managed by DOFAW islandwide.

We understand your concerns and opposition to the level of visitors to Kailua, and your opposition to changes that may attract more visitors to Kailua based upon your comments. The Draft EIS discusses the background associated with this issue, which is attributable to several items, such as Kailua's renowned beaches and ocean recreational activities. However, we don't believe providing public access will result in the death of this resource, or share your perceptions of Hanauma Bay Nature Preserve, Hawai'i Volcanoes National Park, or Maunawili Falls.

Your concerns with the levee are noted, and DOFAW is in the process of implementing changes to the activities allowed. If necessary, DOFAW can restrict public access onto the levee. Similarly, the Draft EIS discusses the management options and alternatives available to manage increased public access. This includes identifying additional staff needed to support management, and not allowing public access within areas until DOFAW and DSP are able to effectively manage these areas.

Non-profit organizations developing and operating areas designated for cultural centers would be responsible for the stewardship and maintenance of their areas. Non-profit organizations involved in stewardship, curatorship, and other activities would be strong and committed partners with DOFAW and DSP. Restoration efforts, educational programs, and cultural practices already being conducted by non-profit organizations at Ulupō Heiau, Nā Pōhaku, the restoration ponds, and other project areas under curatorship agreements reflect their commitment, and are examples of successful stewardship partnerships with DOFAW and DSP.

The Draft EIS addresses the effects of potential erosion occurring from visitors. Significant erosion impacts are not expected to occur because pedestrian trails would have a pervious surface (e.g. grass, gravel), and trails would not be steep as compared to hiking trail up cliffs.



Page 2-3. The Draft EIS includes discussion of passive outdoor recreational use planned along with projected visitor levels. The Draft EIS discusses the management options and alternatives available to address increased public access. Additional staff needed to support management is discussed, and other options include not allowing public access within areas until DOFAW and DSP are able to effectively manage areas. Opening up areas for public access would occur in phases as improvements are implemented, and DOFAW and DSP would monitor activity levels before deciding on whether to increase access to other areas.

Page 2-6. The Draft EIS discusses the cultural centers and activities in more detail. Activities include coordinating with DOFAW and DSP for participation in educational and cultural programs as well as activities open to the community, students, and other groups at these cultural centers. These activities, along with increased stewardship of areas to manage and maintain areas all benefit the public and support restoration of Kawainui.

There is no single group lobbying for control of Kawainui. Many organizations have provided input supporting improved public access and opportunities to establish cultural centers. DOFAW and DSP are looking to increase partnerships with non-profit organizations to support stewardship of areas, curatorship opportunities to supplement management activities, promote cultural practices, and expand educational programs that support their agency missions. Areas designated to support cultural practices would be constructed and operated by non-profit organizations selected through the State's open and competitive procurement process, such as a Request for Proposals solicitation. These non-profit organizations would be responsible to fund development of the cultural centers.

DOFAW and DSP are open to more curatorship and partnerships with non-profit organizations to support their agency missions, restoration activities, and educational programs, which don't involve development of the education center or cultural centers. Schools, community organizations, and others are able to consult with DOFAW and DSP about establishing such partnerships for implementing programs. As an example, schools have participated in upland reforestation activities at Hāmākua.

Management and oversight of non-profit organizations would be the responsibility of either DOFAW or DSP depending upon the areas being utilized, and corruption or favoritism should not be issues. As previously discussed, non-profit organizations already involved with stewardship, curatorship, and other activities in the project area have proven to be good and committed partners with DOFAW and DSP. DOFAW and DSP are also open to other organizations and schools wanting to become involved in stewardship opportunities, educational programs and cultural practices within the project area. We view increased partnerships and activities with organizations supporting the project objectives as being beneficial to this resource.

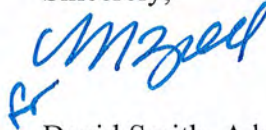
Page 2-11. Please refer to response 2.b. to clarify your understanding of the curatorship associated with this area. The education center would support educational programs and serve as an entry and orientation for visitors to Kawainui. The center would support the non-profit organization's management of visitors and activities occurring in this area. The alternative plans proposed by the Ke Kahua organization would not adequately achieve the objectives for this area. In addition, Ke Kahua may not be the



selected organization constructing and managing the kauhale complex in this area because that selection would be subject to the State's open procurement process. We note your concerns with commercial activity and visitors, and the Draft EIS discusses the management practices available, which includes fencings along certain sections of the pedestrian trail to restrict unauthorized access. Commercial activities at Hanauma Bay are allowed if applicable permits are obtained. There may be incidents of individuals not abiding by rules and regulations in public recreational areas. However, DOFAW believes that the appropriate response is active monitoring and enforcement, and not prohibiting access for the majority of law abiding citizens.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

October 23, 2016

To: HHF Planners, Ronald A. Sato, AICP, Senior Associate

Aloha,

Thank you for the opportunity to comment on the Kawainui-Hamakua Draft Master Plan.

I am a 30 year resident of Kailua. I have been integrally involved in community events in Kailua through my work at Castle Medical Center, as a volunteer with Kailua United Methodist Church, by delving into Hawaiian culture and education through Halau Mohala Ilima and with hands on work at Ulupo as a member of the Kailua Hawaiian Civic Club.

I have personally witnessed the transformation taking place at the Ulupo heiau site over the years and especially in the last year under the personal stewardship of Kaleo Wong, Kaiua Hawaiian Civic Club, Hika'alani and others. I have seen large areas of invasive trees and plants removed which allowed for increased growth of kalo and lo'i. I have seen community groups, many students from schools in the region, and the public come together to malama the land, to grow their connection to the 'aina, and to gain a deeper insight into the importance of being on and working with the land that is integral to our history and our future.

In this age of ever expanding technology, the opportunities being provided by the caretakers of Ulupo and other sites in the Kawainui-Hamakua region is needed more than ever to help our keiki and local families connect to their land and their people.

I whole heartedly support the efforts and aspiratons expressed in the master plan of the native people, the Kanaka of Kailua, to be empowered to malama the 'aina; to embrace the keiki o ka 'aina; to provide space, time and expertise to not only express cultural practices but to truly live the culture. This then allows all of us in Kailua to learn, grow and experience the Hawaiian culture as residents, participants and observers. If the master plan is empowered to come to fruition, we will all have the opportunity to give back to the 'aina that we love so dearly.

Support the Kanaka of Kailua. Support the Kawainui-Hamakua Draft Master Plan.

Mahalo for taking time to consider my perspective.

Sincerely,

Sue Pignataro

A handwritten signature in black ink, appearing to read 'Sue Pignataro', with a stylized, flowing script.

1658 Ulupii St., Kailua, HI

cc: State of Hawaii, Division of Forestry and Wildlife, Department of Land and Natural Resources

Ms. Marigold Zoll, O'ahu Forestry and Wildlife Manager



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

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FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Sue Pignataro  
1658 Ulupii Street  
Kailua, HI 96734

Dear Ms. Pignataro:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your letter dated October 23, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We appreciate your sharing your personal experiences as a community volunteer and your observations of the transformation that has taken place at Ulupō Heiau. As you note, this has not only included removal of invasive plants and restoration of lo‘i kalo, but the coming together of many students and community groups to mālama the ‘āina, to grow their connection to the land, and to gain insight into the importance of working with the land, that is integral to its history and future.

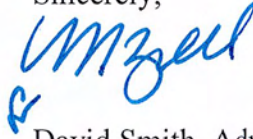
Non-profit organizations involved in stewardship, curatorship, and other activities have proven to be strong and committed partners with DOFAW and DSP. Restoration efforts, educational programs, and cultural practices already being conducted by non-profit organizations at Ulupō Heiau, Nā Pōhaku, the restoration ponds, and other project areas reflect their commitment, and are examples of successful stewardship partnerships with DOFAW and DSP.

The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua. Other improvements support Ramsar objectives, agency missions, and federal requirements for public access and outdoor recreational opportunities. Other improvements support educational programs, cultural practices, and stewardship opportunities with non-profit organizations that would allow persons to learn, participate in, and enjoy this state resource. DOFAW notes your support of these efforts and aspirations and for the master plan.



Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

## Ronald Sato

---

**Subject:** FW: Kawainui-Hamakua Master Plan Project

**From:** Mabby <[porterm001@hawaii.rr.com](mailto:porterm001@hawaii.rr.com)>  
**Sent:** Thursday, October 20, 2016 11:50 AM  
**To:** Zoll, Marigold S  
**Subject:** Kawainui-Hamakua Master Plan Project

Aloha Marigold,  
I'm writing to let you know that I agree with Cynthia Thielen's concerns in regards to adding shelters, foot paths, Hawaiian game areas and parking.

Here is what I wrote to Cynthia:

**From:** Mabby [<mailto:davies@hawaii.rr.com>]  
**Sent:** Thursday, October 20, 2016 11:45 AM  
**To:** 'Representative Cynthia Thielen' <[repthielen@capitol.hawaii.gov](mailto:repthielen@capitol.hawaii.gov)>  
**Subject:** RE: What is planned for the Kawainui-Hamakua Marsh?

Mahalo! I agree with you! I'm sending my comments in.

Why do we need any shelter when it has been fine without shelters all these years? Bring an umbrella and take it away when you leave if you need shelter. Sit on the grass if you need a seat.

The birds and plants will be better off with less impact and the homeless won't be sleeping and peeing in the shelters either. You know they will.

Big buses should also be banned and no parking should be established to encourage less tourists and their rubbish. Maunawili is a prime example.

Less noise for our precious place that is home to such beautiful creatures.

When I look at the Marsh by the back of Creekside. There is so much trash and people feed the birds even when the signs say not to. Do we want more of this?

I say make it difficult, so there is more quiet to preserve. Besides who will pay to maintain it. The people that continue to struggle to remain here after all our lives growing up in Kailua.

Thanks  
Mabby McDiarmid Porter  
334 Auwinala Road  
Kailua, HI 96734

--

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DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
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NOV 24 2017

Ms. Mabby McDiarmid Porter  
334 Auwinala Road  
Kailua, HI 96734

Dear Ms. McDiarmid Porter:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your email dated October 20, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We note that you agree with the concerns expressed by Representative Cynthia Thielen apparently in her letter dated October 19, 2016, which she made available to you addressing adding shelters, foot paths, Hawaiian game areas and parking. You can refer to our response letter to Representative Thielen's letter included in the appendices of the Draft EIS.

Unfortunately, we don't agree with your opinion regarding shelters and seating. Basic amenities proposed under this project are intended to support volunteers involved in wetland restoration or reforestation activities, community service learning projects, and educational programs that involve school children, all of whom would benefit from some shelter and restrooms. Community workdays at Ulupō Heiau can draw upwards of 80 volunteers, many of whom work on site for hours at a time. Groups of students from elementary schools to universities regularly participate in educational and cultural activities. The availability of simple open shelters to provide protection from the sun and rain, seating areas, places for students to gather for discussions, and areas to wash off are necessary accommodations.

The ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. The project includes improvements that support restoring the ecological character of Kawainui and Hāmākua as one of the project's priorities. In terms of wildlife, wetland restoration efforts are intended to improve habitat for endangered waterbirds because Kawainui's present condition does not provide suitable habitat. The vast majority of birds present at Kawainui are alien species and



common to Hawai'i. Mammalian species present are alien, with all of them being deleterious to native ecosystems.

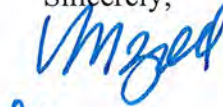
DOFAW effectively removes homeless encampments within Kawainui, and appreciates support from the community in identifying and notifying them of such camps and issues. Project improvements include efforts to create partnerships with non-profit organizations to increase stewardship opportunities of areas and help monitor activities occurring in addition to DOFAW staff working in the field. With daily activities occurring, the parking areas, restrooms, and structures would not support establishment of homeless camps. Reduced secluded areas make it less likely that homeless camps can be established because of increased visibility and public awareness. The City's model airplane park is a good example of this.

Commercial tour buses would not be allowed at the education center unless authorized by permits issued by DSP. However, parking areas would be designed to accommodate school buses as part of educational or cultural activities. We understand your concerns and opposition to visitors to Kailua, and your opposition to changes that may attract more visitors to Kailua based upon your comments. However, the project includes improvements that support Ramsar objectives, agency missions, and regulatory requirements for public access and outdoor recreational opportunities. Regarding Maunawili Falls, the lack of an available parking area for visitors, no restrooms, and private ownership of access areas are key elements contributing to resident complaints. The Kawainui-Hāmākua project is a different situation because it includes designated parking areas (e.g. education center) and restrooms for visitors to use, and would be managed by DOFAW and DSP. The Draft EIS includes more information on public access improvements and proposed management activities.

Noise would not be a significant concern on the environment, and the Draft EIS discusses this. Necessary trash receptacles would be provided for visitors to use when discarding trash. Part of the need for educational programs at Kawainui is to educate the public about restoration activities and interaction with wildlife. The Draft EIS includes information on estimated costs and funding responsibilities.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



*for* David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



Mr. Ronald A. Sato, AICP, Senior Associate  
HHF Planners  
733 Bishop St., Suite 2590  
Honolulu, HI 96813

10/21/16

Re: Kawainui-Hamakua Master Plan Project

Dear Mr. Sato,

I am writing to express my strong disapproval of the DNLR proposed plan to build in Kawainui Marsh and am concerned and upset that DNLR would even consider additional buildings, parking lots, or paths in this pristine area of Kailua.

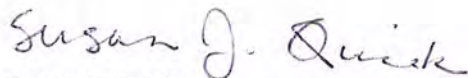
How quickly we forget the flooding of 1987 when homes on Kihapai Street were devastated. The Marsh was designed to help ease any potential flood waters and had been neglected and become tangled. The fragile nature of the Marsh was seen as imperative to the State at that time and measures were taken to improve the flow of water through it.

As a result, the Marsh flourished again and many species of birds and other animals live there today, undisturbed. With additional building, vehicle and foot traffic, the Marsh will be threatened. Wildlife will be challenged, noise and pollution will spoil this beautiful area, and humans will come in many more numbers.

The neighborhood where the Marsh entrance is located is a quiet and peaceful place where people know each other and have respect for this place. The street leading to the Marsh on one side is a two lane road without sidewalks. On the other side, the entrance is off Kailua Road, a street that already receives more traffic at key times than the road can handle.

I ask you to look at the motivation for adding this level of development to the Marsh and question who will benefit from the increased building, noise, pollution, and people. Certainly the Marsh will not benefit, the Neighborhood that borders the Marsh will not benefit, and the town of Kailua will not benefit from these proposed changes. I urge you to re-consider the plan as proposed.

Thank you,



Susan J. Quick  
44-117 Puuohalai Pl.  
Kaneohe, HI 96744

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Susan J. Quick  
44-117 Puuohalai Place  
Kāneʻohe, HI 96744

Dear Ms. Quick:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, Oʻahu, Hawaiʻi**

Thank you for your email sent October 21, 2016 on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We acknowledge your concerns with plans proposed for Kawainui-Hāmākua. However, we need to clarify that the ecological character of Kawainui is currently not that of a pristine resource or habitat, but of a very degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. In addition, public access within Kawainui is required to be provided. Thus, the project includes improvements to provide a manageable level of public access that support educational programs, cultural practices, and passive outdoor recreational use. Proposed improvements also support Ramsar objectives. Ramsar supports sustainable tourism, recreational use, and cultural practices within designated wetlands. Ramsar views sustainable tourism as including maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues.

The project includes wetland restoration to create more open water and reduce the expansive invasive vegetation, and upland improvements to address storm water runoff. Such improvements would improve Kawainui's function as a flood control feature, and are discussed in the Draft EIS.

Wetland restoration efforts would also improve habitat for endangered waterbirds because Kawainui's present condition does not provide suitable habitat. The vast majority of birds present at Kawainui are alien species and common to Hawaiʻi. Mammalian species present are alien with all of them being deleterious to native ecosystems. With improved public access, the education center would support management of visitors to the area and educate them of the resources present. Areas designated for cultural centers increase stewardship opportunities of areas that would improve the management and maintenance of such upland areas. Wildlife would



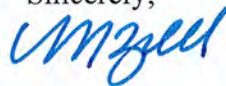
not be negatively impacted from visitor activity noise or pollutants, especially when most birds are alien species, and mammals present are harmful to the ecosystem. The Draft EIS discusses impacts on wildlife in greater detail.

The only neighborhood bordering the Kawainui site is that of the Kūkanono subdivision along Kailua Road. Ulukahiki Street routed along Adventist Health Castle provides an access point to Kawainui in that area. The State DLNR, Division of Forestry and Wildlife (DOFAW) has their research and management station located at the end of this road. This neighborhood should not be significantly impacted because public access to viewing areas and the pedestrian trail in that area would be managed by DOFAW staff, and closed during non-business hours unless other DOFAW authorized activities are occurring. Vehicular access to the Ulupō Heiau occurs on the northeast end of this subdivision, and existing and projected visitors would continue to be fairly low. Minimal improvements are planned at the heiau site, and would not change visitor activities already occurring. The Draft EIS includes a traffic study that addresses the project's effect at major intersections.

We believe that we share the same long-term goals for the restoration, management, and increased stewardship of the project area. Rather than seeing the project proposals as a threat to Kawainui, we see them as directly supporting and promoting restoration activities, public education and awareness, indigenous cultural practice, and managed increased public access for the benefit of all. The Draft EIS discusses the need and objectives for improvements in more detail, and addresses environmental impacts.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

1. From the point of view of EIS, my concerns start with the Project Objectives. The key verbs are 'fulfull', 2x of 'promote', and one 'provide.'

That last is something that can actually be measured, designed, costed, contracted, and achieved – giving us a sense of scope and scale of the project. The three former do not stand up as actual 'objectives', being more 'guidance' terms than defining deliverable end-items.

With all of the design work that has taken place, maybe it is time now to restate the objectives, realigning with the actual intended scope of work and intended time period. Without a sense of the workscope stated in clear objective terms, it is difficult to determine when the objectives have been met, or to sense the extent to which the EIS should be evaluated.



2. The term 'Marsh' seems to have been replaced by the term 'Complex' in the project title. This has the effect of minimizing and deflecting thoughts of a fragile, interactive, damaged environment and focusing mentally more on the physical development plan aspects. As this is an 'update' of the '94 plan, rather than a new plan, the term 'marsh' should be restored in the title.
3. The big hole in current version of the plan is the absence of governance, balance, decision making, and management concepts or policies other than 'follow Department guidelines.' Who decides what work is to be done, in what order; what cultural organizations will be included or



excluded; how will mutual interferences be sorted out... how will operating policy be set, how will balance be achieved?

For example, the plan as written seems to undervalue the presence of one cultural organization currently under permit in Kawainui, implying that at the end of the current permit, they are out of the picture. Who decided that? Upon what basis? Somebody is apparently making decisions. Who and how? What is the process if another organization wishes to propose a cultural presence, or another educational function, agricultural function, or yet another land use that is not in the plan?

This lack extends to the daily management, resource allocation, and maintenance of the fully-developed property...

Given these process absences, assumptions must be made in completing the EIS...and this is where issues will arise as the actual lived-environment deviates from the assessed environment.

Everybody is concerned about tourism being an unassessed problem as Kawainui builds out – in what form no one knows. But the livery bicycles rented in Kailua are starting to show up in Waimanalo town now. Surely they will show up in Kawainui... tourist vans park everywhere at Makapuu Lookout parking lot, in the No Parking areas, in the auto parking stalls, in the handicapped stall... all day long. Clandestine commercial vans park in Kailua Beach Park today...do we think none of this will happen in Kawainui? How do we assess these realities in the EIS? More than that, how do we govern, manage, redirect, and correct?

One store owner, well off the usual track in Kailua, told me – “I don’t even have to advertise anymore, even though I am way off the track. The bus companies put me in their booklets and the tourists will find me.” Will this not happen in Kawainui?

Governance and management... or its absence...major gap in getting an accurate EIS.

4. Back to the marsh and restoration issue... much of the focus at the recent IUCN dealt with watersheds, waterflow and quality, watershed as a system, watershed best practices, community management of watershed resources...from so many nations and so many points of view...even including the ‘rights of waterways as a person’ as an enlightened form of guidance (google Whanganui Watershed Rights, New Zealand).

Ala Wai Watershed has been setting this course for several years and is now starting to include the whole community, and beyond, as they are all starting to think together on the watershed as a system...its problems, its issues, its options, its solutions.

This is where the real future for Kawainui will emerge...when the whole community gets involved, inclusively and enthusiastically. The ‘whole of community’ approach takes time, takes

discussion, hits a lot of blind alleys, misfires and errors, takes a lot of care. Read 'The Painted King'... that was community involvement done right. We have a long way to go in Kawainui to get to that level...Ala Wai can show us some good steps.

In the meantime, we have the EIS.

Ted Ralston

Waimanalo

738.6814



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
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NOV 24 2017

Mr. Ted Ralston

Ted.ralston@gmail.com

Dear Mr. Ralston:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email sent October 25, 2016 on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. Our responses are numbered to correspond to your comments.

1. Objectives are developed to serve as guiding principles for the project, and do not need to be described as project deliverables. Proposed improvements, that are intended to meet the project's purpose and need, provide more clarification and definition on actions. Design work would be conducted as part of a design phase when improvements are actually programmed and implemented. Conceptual plans have been developed for this planning phase so that likely environmental impacts can be addressed. It is not necessary to restate the project objectives. The project provides sufficient descriptions of objectives and the description of project improvements are sufficient for assessment under the EIS process. The Draft EIS includes more information on the project's purpose and need, objectives, and description of improvements.
2. The term "Complex" is not included in the EISPN project title. The term "marsh" not being included in the project title does not minimize or deflect the thoughts of the environment and effects of the proposed improvements. The Draft EIS identifies the "Kawainui Marsh Wildlife Sanctuary" and refers to the shortened reference "Kawainui" used in the document. The present master plan conceptual improvements being proposed considered concepts from the 1994 plan. However, present concepts and improvements that are now being proposed are based upon current conditions, changes since 1994, DLNR jurisdiction of areas, and input from the public. The project title is sufficient and the term "marsh" does not need to be included.



3. The Draft EIS includes discussion of management practices available to address increased public access, agency jurisdictional authority and responsibilities, and other information addressing your comments. This includes preliminary estimated order-of-magnitude costs and planned phasing of improvements. The Draft EIS discusses how areas designated to support cultural practices would be constructed and operated by non-profit organizations selected through the State's open and competitive procurement process, such as a Request for Proposals solicitation. These non-profit organizations would be responsible to fund development of the cultural centers.

The project does not undervalue the presence of any non-profit organization working at Kawainui. The EISPN discusses and the Draft EIS further explains the curatorship agreement between DSP and Ke Kahua for an area identified as Pōhakea along with DSP's agreement with 'Ahahui Mālama I Ka Lōkahi for Nā Pōhaku o Hauwahine. New curatorship agreements or extensions with longer time periods can be implemented by DSP with these organizations.

DOFAW and DSP are open to additional partnerships with non-profit organizations to support stewardship of areas, supplement management activities, and promote cultural practices and educational programs that support their agency missions. Schools, community organizations, and others are able to consult with DOFAW and DSP about establishing such partnerships for implementing programs.

The Draft EIS includes information addressing the management of areas, maintenance operations and responsibilities. Resource allocation in terms of funding would be determined by appropriations from the State Legislature, and DOFAW and DSP would determine allocations by their priorities at that time. The project information provided is at a level sufficient to address likely impacts as discussed in the Draft EIS. We don't believe there will be issues with project information discussed in the Final EIS and eventual improvements implemented.

We understand your concerns and opposition with visitors to Kailua, and your opposition to changes that may attract more visitors to Kailua based upon your comments. Similarly, the Draft EIS discusses the management options and alternatives available to manage increased public access. This includes identifying additional staff needed to support managing activities, and not allowing public access within areas until DOFAW and DSP are able to effectively manage areas. Bicycles are not planned to be allowed on the new pedestrian and foot trails that would be designed for pedestrian use, but would be allowed to continue on the levee at this time.

4. We appreciate your comments relative to the International Union for Conservation of Nature (IUCN) conference and their approach toward a larger community management of watersheds. Developing a comprehensive community management system of watershed resources for Kawainui and Hāmākua is unfortunately not reasonable, prudent, or feasible for this project and its implementation because DOFAW and DSP only have jurisdiction over the Kawainui and Hāmākua project site. The project improvements are developed based upon the project's purpose and need that were discussed in the EISPN and are further discussed in the Draft EIS. This project need does not include watershed planning, and other agencies have more appropriate jurisdiction to address this such as the State Commission on Water Resources Management. Areas mauka and makai of the Kawainui and Hāmākua are outside of the project site and owned by other property owners or consist of single-family residences. It is thus inappropriate for DOFAW and DSP, who have no

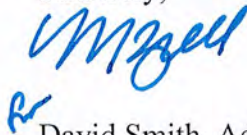


jurisdiction, to propose project-related improvements and management actions for other privately-owned properties because those owners have their right to determine their future use and activities conducted on their property.

We appreciate your reference to the Ala Wai Watershed Partnership, and we will continue to monitor the progress of that effort. However, we note there are serious issues with the feasibility and implementation of that effort. As discussed in the partnership's December 2016 report to the Legislature, the lack of funding has seriously hampered progress on development of a community investment vehicle and innovative financing for the kind of resilient infrastructure that will be required to significantly reduce the disaster risk, improve water quality and restore forest and stream ecosystems in the Ala Wai Watershed. Funding is also needed to assess legal and organizational options for both innovating financing and the planning and management of resilient infrastructure.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

## Ronald Sato

---

**From:** James Raymond <attyraymond@gmail.com>  
**Sent:** Wednesday, October 19, 2016 11:43 AM  
**To:** Ronald Sato  
**Cc:** Marigold.S.Zoll@hawaii.gov  
**Subject:** Comments re: Kawainui - Hamakua Master Plan Project

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Aloha,

I wish to be a consulted party and have the following comments:

Cost estimates for the drainage improvements along Quarry Road should be included.

The expected number of tour buses per day should be included for each development.

Kailua is a residential community not a tourist destination - we are currently overrun with far too many tourists due to the unregulated marketing of Kailua as a tourist destination. This project as described, will only add to that problem. As part of the environment, as a resident of Kailua, the impact of this project is unwanted, unwelcome, and if it becomes a reality, those responsible will be held accountable.

Thank you,

James E. Raymond  
Kailua

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GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

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FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

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HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. James Raymond  
[attyraymond@gmail.com](mailto:attyraymond@gmail.com)

Dear Mr. Raymond:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email sent October 19, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. You have been added as a consulted party, and will receive a copy (CD) of the Draft EIS when published for review.

The Draft EIS includes preliminary order of magnitude cost estimates for proposed improvements and addresses which agency or non-profit organizations would be responsible for costs.

Commercial tour buses would not be allowed at the education center or other parking areas available for the public unless authorized by permits issued by DSP. DSP is not planning to issue such commercial permits under this project.

We understand the concerns and opposition you have with visitors to Kailua, and changes that may attract more visitors to Kailua. The Draft EIS discusses the background associated with this issue, which is attributable to several items. Kailua’s renowned beaches and ocean recreational activities available continue to be the main attractions for both visitors along with island residents to this area. The Draft EIS discusses the management options and alternatives available to manage increased public access.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



## Ronald Sato

---

**From:** Paula Ress <paular@hawaiiintel.net>  
**Sent:** Saturday, October 22, 2016 2:38 PM  
**To:** Ronald Sato  
**Cc:** Marigold.S.Zoll@hawaii.gov  
**Subject:** Development of Kawainui-Hamakua Marsh

I have attended most of the meetings on planning for the development of the marsh. At no time was there any discussion of the quality of the water, how the flow will be affected by the plan, what will be the effect of "hardening" areas around the marsh, or how birds will be impacted by increasing human and vehicle traffic. I am hoping this is the time those issues are addressed.

Will the management of the bird habitat created at the corner of Pali and Quarry Road be impacted by the development? Are other bird sanctuaries within the marsh protected from traffic? Will there be any limits to the areas made accessible, and numbers of people and vehicles who are allowed to the area? Who will oversee any protections given to the marsh?

The importance of the marsh and surrounding area in the role of filtering and storing water from the mountains and streams is an enormous concern to the residents of Coconut Grove, who have not forgotten the flooding there in 1987. In the last three years, FEMA has re-drawn their flood lines there, and with FEMA's efforts to regain funds paid out throughout the country, have increased the number of households required to carry expensive flood insurance. Efforts in congress are being proposed to greatly increase the cost of the insurance. Considering the impact on people who are required to carry the insurance, any plan for the marsh should include an analysis of how it will impact the possibility of flooding in Coconut Grove and where FEMA will draw the lines once there are foot and bike paths impeding the flow and paving for structures and parking lots stopping the percolating of water. Have the flood maps been considered in the plan? Has FEMA agreed that there will not need to be new areas classified in flood areas?

Paula Ress  
paular@hawaiiintel.net  
808-384-9439

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DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Paula Ress  
[palar@hawaiiantel.net](mailto:palar@hawaiiantel.net)

Dear Ms. Ress:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email sent October 22, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

The Draft EIS addresses water hydrology, and includes a water quality study conducted for this project that also incorporates the results of several prior water quality studies conducted for Kawainui. This includes discussion of best management practices and other measures that can be implemented to address storm water runoff and pollutants from activities at Kawainui.

In terms of wildlife, wetland restoration efforts are intended to improve habitat for endangered waterbirds because Kawainui’s present condition does not provide suitable habitat. The vast majority of birds present at Kawainui are alien species and common to Hawai‘i, and would not be significantly impacted by activities that occur within upland areas. This includes the Kahanaiki area referred to (Kapa’a Quarry Road and Kalaniana’ole Highway area) along with the rest of the Kawainui’s wetland area. Mammalian species present are alien, with all of them being deleterious to native ecosystems.

Facility improvements are not located within the wetland, and the Draft EIS discusses agency jurisdictions and various management operations for increased public access provided within upland areas. This includes restricting wetland areas from visitors, providing fencing, and programs to educate students and the public about interactions with wildlife.



Wetland restoration is a major component of the project, and would support the wetland's function as a flood control feature for surrounding areas. Improvements include the removal of invasive vegetation covering most of Kawainui's wetland and replacing it with native wetland vegetation. This will open up surface water flows, and support the wetland's flood storage capacity.

The Draft EIS discusses the project's effect on natural hazards such as flooding. The project would not require changing the FEMA designated flood hazard boundaries, and information on existing flood conditions and flood maps are provided in the Draft EIS. DOFAW and DSP are not involved in any flood insurance requirements for homeowners. Facility structures are located within upland areas that are not within special flood hazard areas, and pedestrian paths would not impede the flow of storm water runoff. The City and County of Honolulu (City) is the local authority responsible for any changes to flood maps, and applicable City agencies have been and would continue to be consulted under this environmental review process.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

October 24, 2016

HELBER, HASTERT & FEE, Planners  
Attn: Ronald A. Sato,  
733 Bishop Street, suite 2590  
Honolulu, HI 96813

**RE: Comments on the Kawainui-Hamakua Master Plan EISPN**

Aloha Planners,

Following the Draft Kawainui-Hamakua Complex Master Plan comments you made some modifications to the plan. Thank you for doing so. These modifications, however, are minor and do not satisfactorily reflect the many concerns of the community regarding the extent of development of Kawainui Marsh.

Kawainui Marsh is, as has been pointed out over and over again, a special, unique, and very fragile natural resource. It is, among other things, the nesting site for endangered waterbirds and other wildlife. It has also been designated as a wetland of international importance. The uniqueness of this Hawaiian resource does not lend itself to comparison with other resources such as Hoomaluhia and other sites and developments far from our shores. What may be appropriate somewhere else is not necessarily appropriate here.

Kawainui is not, as you have correctly pointed out (A-1), a pristine environment. This is because of past neglect. The main thrust of the plan needs to be the restoration, enhancement, and maintenance of this unique resource. Contrary to what you state (A-1), the development considered under this plan does not align with Ramsar Convention policies. The impacts of these proposed developments do not enhance but instead endanger the wetland.

The vision of the majority of the community for Kawainui differs considerably from yours and that of your client. Yes, you did have your community meetings, but judging from what is being planned, they were done more to satisfy legal requirements rather than to truly listen to and incorporate in the plan the vision of the majority of citizens and concerned environmental organizations.

As a former member of the Kailua Neighborhood Board, I was assigned to the board's Permitted Interaction Group, which was to "investigate the conduct and conclusions drawn related to the public participation programs and activities in the preparation of the Master Plan for the Kawainui Marsh." I was tasked with interviewing persons in the community who had actively participated in the public presentations by HHF. The results of my interviews are of public record. They show the disappointment that was expressed over the lack of incorporation into the plan of input from these members of the community. They felt that their opposition to the inappropriate structures and amenities and their negative impacts on this sensitive wetland and wildlife habitat were completely ignored in the subsequent revision of the initial plan. And as I look at the minor changes that you made now, they continue to be ignored. One cannot but agree with the conclusion of those community members interviewed that it is an inflexible plan based on singular special interests at the exclusion of the sentiments of the general public -- a plan that is being rammed down our throats, no matter what. As I look at some of your responses to the Summary of Comments in Appendix A, it reads like "Father Knows Best".

There is little doubt in the public's mind that what the proposed plan represents is a template for another tourist attraction; all amenities speak plainly for it. The tour of Kawainui Marsh will be featured on visitor



brochures, together with other “must see” Kailua places. The tour companies and other financially interested parties will cash in on it. The question for us at this time is “What will be the price to be paid by the fragile resource of Kawaiinui Marsh and by us as stakeholders in that environment?”


At this point it seems that the drafters of this proposed plan have no intention of honoring the community’s vision for restoring, enhancing, and protecting Kawaiinui Marsh for the benefit of its wildlife and health of the wetland, and for the simple contemplative enjoyment by the public. Given the apparent inflexibility of the proposed plan, the only option left to the public seems to be to focus on mitigation of the harmful impacts inherent in the proposed development.

Hundreds of questions have been asked but not answered in this latest version of the plan. These questions and many more need to be asked and responded to in the DEIS. I am looking at the concerns expressed and thoughtful questions posed by the The Outdoor Circle on June 30, 2014. From what I see, none of these concerns and questions have been addressed and responded to in the current version of the plan. I concur with the position of the Outdoor Circle. I am not repeating their questions here, but I would like to ask that you revisit them and take them into account in your DEIS. Other good questions and concerns, ranging from hydrology, the restoration of the marsh and its function in the preservation of wildlife and flood control, number of tour buses, anticipated traffic and its management, the number of parking lots, the large number and sizes of structures, associated amenities and their functions, the footprint left by large numbers of visitors, Kapa’a Quarry road, to the management and maintenance costs of the development have been expressed, not only by ordinary citizens, but also by environmental organizations, such as the Audubon Society, Hawaii’s Thousand Friends, and the Kailua Neighborhood Board. In revising this draft of the plan, I ask that you address and respond satisfactorily to all of the various unaddressed and unanswered questions that have been raised.

A Master Plan normally covers an entire project area and is required to assess **all cumulative impacts**. How do you assess cumulative impacts when many aspects of the plan are so vague, or yet to be determined? We are dealing with one of our most rare and fragile environmental resource. Flying by the seat of the pants is not an option. All cumulative impacts of the proposed extensive development in Kawaiinui Marsh must be identified and evaluated, and a detailed explanation of how all adverse impacts will be mitigated must be provided in the DEIS.

Although I am not a Hawaiian cultural practitioner, I am an equally entitled stakeholder in the environment of Kawaiinui Marsh. Thank you for keeping me informed as this process moves forward.

Sincerely yours,

  
Ursula Retherford  
42 N. Kainalu Drive  
Kailua, HI 96734  
tel. 808 261-4537  
e-mail: robert.retherford@hawaiiantel.net

cc: STATE OF HAWAII DIVISION OF FORESTRY AND WILDLIFE  
Department of Land and Natural Resources  
P.O. Box 621  
Honolulu, HI 96809



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
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DEPUTY DIRECTOR - WATER

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NOV 24 2017

Ms. Ursula Retherford  
42 N. Kainalu Drive  
Kailua, Hawai'i 96734

Dear Ms. Retherford:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your email dated October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We view the modifications made to the initial project conceptual plans in the Draft Kawainui-Hāmākua Complex Master Plan published in May 2014 as being more extensive than just minor. The revised project reflects restoring the ecological character of Kawainui and Hāmākua, and is discussed in the Draft EIS. The project also includes other improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), requirements for improving public access and outdoor recreation, and supporting cultural practices.

We understand your concerns and opposition to visitors to Kailua, and your opposition to changes that may attract more visitors to Kailua based upon your comments. The Draft EIS discusses the background associated with this issue, which is attributable to several items, such as Kailua's renowned beaches and ocean recreational activities.

However, Ramsar supports sustainable tourism, recreational use, and cultural practices within internationally designated wetlands. Ramsar views sustainable tourism as including maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (e.g. pedestrian trails and education center) supporting these aspects of sustainable tourism recognized under Ramsar. Project improvements also support educational programs by providing shelter and restrooms for students, and allow passive recreational use (trails) within designated upland areas furthering the observation and appreciation of nature and wildlife.



Kawainui is a unique resource with cultural significance, but we don't particularly view it as being fragile. The ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. In terms of wildlife, wetland restoration efforts are intended to improve habitat for endangered waterbirds because Kawainui's present condition does not provide suitable habitat. The vast majority of birds present at Kawainui are alien species and are common to Hawai'i. Mammalian species present are alien, with all of them being deleterious to native ecosystems. We believe the City's Ho'omaluhia Botanical Garden is more comparable to Kawainui than other sites such as Hanauma Bay, as some have suggested.

A significant focus of the project is restoration and enhancement, and the Draft EIS discusses the various wetland restoration and upland reforestation improvements proposed in more detail. As previously discussed, this project does support Ramsar objectives. Proposed improvements would not endanger Kawainui's wetland. The Draft EIS discusses the project's likely effect on several environmental factors.

We don't agree that the vision for the majority of the community differs from what is presently proposed for this project. There has been a wide range of input from the community associated with public access, cultural practices, and support facilities. The community meetings conducted were not done just to satisfy legal requirements, but helped provide input for both DOFAW and DSP to consider. Public input represents one element of this process along with other factors needing to be considered such as regulatory requirements, project needs, and assessment of existing conditions. Chapter 3 of the Draft Master Plan report (May, 2014) discusses the planning process and framework implemented in developing conceptual plans for this project. In addition, the interests of the entire State of Hawai'i need to be considered because Kawainui is a state-owned resource of international importance for the entire public.

Regarding your involvement with the Kailua Neighborhood Board's Permitted Interaction Group, we are not familiar with the methodology or details of your interviews and results. However, based upon your comments regarding this, it appears that the process may not have included a wide diverse representation of the community because there is certainly a large portion of the community that does support public access, educational programs, and cultural practices. It is not clear how those interviews could have pre-determined that the project would have a negative impact on the wetland and wildlife since various studies on it were not conducted. The Draft EIS provides information on the project's effect on the environment, and as previously discussed, mammalian species present are alien, with all of them being deleterious to native ecosystems. We don't believe the project reflects an inflexible plan based on special interests based upon our prior responses, but we acknowledge your opinion.

By providing public access and passive outdoor recreational opportunities, the project would attract visitors who are interested in viewing this resource and waterbirds, and learning more about Kawainui and its cultural history. We don't believe it would be the imposing tourist attraction as perceived by some of the community because Kailua's renowned beaches and ocean recreation continue to be the main attractions for both visitors and island residents to Kailua. The



Draft EIS discusses the background associated with this issue, and DOFAW and DSP understand the importance of managing their resources and recreational lands. The Draft EIS discusses available management options available to address visitors, which includes additional personnel needed, restricting access to areas, etc. DOFAW and DSP are also partnering with non-profit organizations to function as stewards and curators of areas to support their management efforts. However, public access is a regulatory requirement, one of the purposes for this project, and is supported by several other members of the community.

The project proposes several improvements to support restoration efforts at Kawainui as discussed in the EISPN, and further in the Draft EIS. As already mentioned, such efforts would benefit endangered waterbirds and improve Kawainui's ecology, and would be for the enjoyment by the public as you state. However, without public access, visitors and residents would not be able to view, enjoy and benefit from these restoration efforts. This state resource of international importance is not something that should be hidden and restricted from public access. The Draft EIS discusses the project's effect on the environment, and identifies mitigative measures, if necessary.

It should be clarified that the Draft Kawainui-Hāmākua Complex Master Plan published in May 2014 is a separate document from this EISPN. That Draft Master Plan included an Appendices that documents public informational meetings, community meetings, and includes comments received by the community during the preparation of that report. Since then, a summary of comments received on the draft master plan, with responses, and copies of all written comments were made available to the public and those submitting comments in August 2016. There were comments, questions, issues, and support raised by several organizations and individuals. This memo addressed modifications made to the master plan concepts based upon comments received. These documents can be found on the project web site at the following: <http://www.hhf.com/kawainui/>.

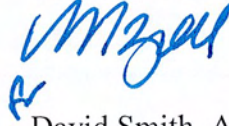
Comments on the EISPN received from the Outdoor Circle and other organizations have been responded to, and you can view their comments and responses in the appendix of the Draft EIS. Comments on the EISPN have included the many questions and concerns you identified, and responses to those letters address them, and where appropriate are addressed in the Draft EIS.

The Draft EIS addresses the cumulative impacts of the project. Information on proposed conceptual plans are not vague and are of sufficient detail to allow assessment of the likely environmental effects resulting from them. As already discussed, the Kawainui-Hāmākua project area is not a fragile resource, but certainly one that needs restoration improvements which the project supports. Project plans are not "flying by the seat of the pants" as you suggest, and reflect improvements that support the purpose and need for the project, project objectives, agency missions, and regulatory requirements for public access and outdoor recreation. The Draft EIS discusses these items and addresses impacts and necessary mitigative measures, if required.



Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

Marie Riley  
430 North Kalaheo Ave #A  
Kailua, HI 96734-2136  
(808) 262-0433

Oct 21, 2016

Kauai - Hamakua Complex Master Plan

I would like to be a consulting party to the  
EIS - please contact me at above address.

- May the changes favorably impact the environment (wildlife) now & in the future.
- Limit human access to the marsh - only for maintenance, flood control, wetland restoration, and security.
- no parking lots, modern buildings, septic systems - for residents & tourists, & homeless
- clear out invasive species & homeless (Honeycreepers @ bridge on Hamakua Dr.)
- for this Wetland, reforestation (upland)
- Respect the Land. respect Nature
- Humans can visit & volunteer - arriving on Shuttle Buses.
- Let us have the point of view of the Wildlife.
- Let us protect the Wildlife - and not be greedy for money.

Sincerely,

Marie Riley



DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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NOV 24 2017

Ms. Marie Riley  
430 North Kalāheo Ave. #A  
Kailua, Hawai'i 96734

Dear Ms. Riley:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 21, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. You have been added as a consulted party, and will receive a copy (CD) of the Draft EIS when published for review. Our responses are numbered to correspond to the bulleted comments provided.

1. Wetland restoration and upland reforestation initiatives would have a beneficial effect on the environment. The ecological character of Kawainui is currently not that of a pristine resource, but of a degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. The project discussed in the Draft EIS includes improvements that support restoring the ecological character of Kawainui and Hāmākua as one of the project's priorities. Wetland restoration efforts are intended to improve habitat for endangered waterbirds because Kawainui's present condition does not provide suitable habitat. The vast majority of birds present at Kawainui are alien species and common to Hawai'i. Mammalian species present are alien, with all of them being deleterious to native ecosystems. The Draft EIS discusses impacts on wildlife and waterbird habitat in greater detail.
2. The project includes improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), and regulatory requirements for public access and outdoor recreational opportunities. Ramsar supports sustainable tourism, recreational use, and cultural practices within designated wetlands. Ramsar views sustainable tourism as maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (e.g. pedestrian trails and education center) supporting these aspects of sustainable tourism recognized under Ramsar, increases stewardship opportunities, and supports educational programs and cultural practices. Improving Kawainui's ecology and endangered waterbird habitat would be for the public's enjoyment. However, without public access, visitors and residents would not be able to view, enjoy and benefit from these restoration efforts. This state resource of



international importance is not something that should be hidden and restricted from public access. The Draft EIS discusses the project's effect on the environment, and identifies proposed mitigative measures, if necessary.

3. Parking lots, facilities, and wastewater improvements are intended to support DOFAW's and DSP's environmental and cultural restoration efforts, public access, and education initiatives. Low impact design (LID) elements are incorporated into specific improvements to minimize any adverse impacts to the environment. DOFAW, DSP, and the Division of Conservation and Resource Enforcement (DOCARE) would effectively manage these areas, and the Draft EIS discusses effects on the environment from these improvements.
4. DOFAW effectively removes homeless encampments within Kawainui, and appreciates support from the community in identifying and notifying them of such camps and issues. Project improvements include efforts to create partnerships with non-profit organizations to increase stewardship opportunities of areas and help monitor activities occurring in addition to DOFAW staff working in the field. Unfortunately, DOFAW does not have jurisdiction for any homeless encampment within Hāmākua Drive, under Hāmākua Bridge, because that roadway right-of-way is under the City's jurisdiction, and property makai of the bridge is privately-owned. Your concern with homeless in that area should be more appropriately directed to the City.
5. Wetland restoration and upland reforestation initiatives are proposed for the Kawainui-Hāmākua project area.
6. We believe the project respects land and nature as much of the improvements proposed are to restore the ecology of Kawainui and improve waterbird habitat. Other improvements have been properly planned to minimize impacts on the environment as discussed in the Draft EIS.
7. Buses are currently used by schools to access areas where educational programs, community service learning projects, and cultural programs occur within the project area. The project would continue supporting the use of buses for these activities. Commercial tour buses would not be allowed within the project site unless issued a permit by DSP or DOFAW, and such permits are not planned under this project.
8. The project supports the recovery of Hawai'i's endangered waterbird species through wetland restoration and creating improved habitat. The vast majority of birds present at Kawainui are alien species and common to Hawai'i, and mammalian species present are alien, with all of them being deleterious to native ecosystems. The project includes efforts to trap and remove these invasive mammalian species.
9. As previously discuss, the project supports wildlife.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



## Ronald Sato

---

**From:** Cynthia Rubinstein <cynthiabeachfront@gmail.com>  
**Sent:** Monday, October 24, 2016 3:50 PM  
**To:** Ronald Sato; Marigold.S.Zoll@hawaii.gov  
**Subject:** Kawainui-Hamakua Master Plan EISPN Comments

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Marigold & Ron,

This Plan for our Wetlands area at the entry of Kailua has been worrisome for much of the community. Our town has, in the past years, been pegged by the State, Hawaii Tourism Authority, Kaneohe Ranch and A & B as the next Waikiki, as can be seen daily by the droves of tour buses that come in and out of town. Lanikai Beach has become a waterpark and the residential lifestyle our communities were planned for by the City Planners long ago, has turned into a commercial circus.

Our community fought for 2 years to get the large coach tour buses and hundreds a day kayak rentals out of Kailua & Kalama Beach Parks, as they are surrounded by Residential Zoning and the flurry of activity was keeping our working class local people out of their own parks. Fortunately we prevailed and it has, at least, just lessened, though tourism overall is still rampant in our Residential sector in Kailua. Due to this apparent plan on the part of HTA, etc...., as they continue to advertise our Residential areas to the tourism industry, as they seem to be bored with the usual tourist sights, the local climate has been on edge and our concern is that a plan that encompasses approx. 34 large glass AC buildings and approx 17 parking lots, which we have been told and confirmed, WILL Allow Coach Tour Buses, makes us shake in our shoes. We envision a Polynesian Cultural Center guard post at the entry of the town we love. We worry about the charm and environment, both for we humans, and for the natural inhabitants of this Universally Protected Wetlands.

Knowing that Hawaii is pretty much for sale to the highest bidder, which means if the State can find the funds, this will be built, what we ask for with great passion, is that, at the very least, the structures be built in the thatched manner of what can now be seen at Ke Kahua Kuali'i at the old Cash Ranch site. At the very least, keep the charm of the Hawaii that seems to be phasing out and dying all around us. We sense that some of the practitioners pushing this project forward, though they may say their need is cultural, may have potential financial gain opportunities attached to their perpetuation on this site as they are extending an 'arms wide open' to the admission of tour buses. They have O problem with that being part of the mix, and we are not just referring to buses of school children, though they may be the oft mentioned cover of the moment.

We Kailuans care about our place and are beyond saddened by the pillage that has been taking place. If we actually thought we could see a plan that was merely a sharing experience of our Marsh Wetlands, it would be to see boardwalks and viewing stations and a kauhale for the Kumu to dance within, keeping our very precious and sacred Wetlands in as natural a state as possible. One can dream.....  
You could deliver that dream.....

With Aloha and Hope,  
Cynthia Rubinstein (R)

[cynthia@lava.net](mailto:cynthia@lava.net)

--

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DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Cynthia Rubinstein  
[cynthiabeachfront@gmail.com](mailto:cynthiabeachfront@gmail.com)

Dear Ms. Rubenstein:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your email sent October 24, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project

We understand your concerns and opposition to visitors to Kailua, and your opposition to changes that may attract more visitors to Kailua based upon your comments. The Draft EIS discusses the background associated with this issue, which is attributable to several items, particularly Kailua's renowned beaches and ocean recreation activities.

We need to clarify that the ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. In terms of wildlife, wetland restoration efforts are intended to improve habitat for endangered waterbirds because Kawainui's present condition does not provide suitable habitat. The vast majority of birds present at Kawainui are alien species and are common to Hawai'i. Mammalian species present are alien, with all of them being deleterious to native ecosystems.

Kawainui- Hāmākua is also a state resource that is a Ramsar wetland of international importance. Ramsar supports sustainable tourism, recreational use, and cultural practices within designated wetlands. Ramsar views sustainable tourism as maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (e.g. pedestrian trails and education center) supporting these aspects of sustainable tourism recognized under Ramsar, increases stewardship opportunities, and supports educational programs and cultural practices. Project improvements also support educational programs by providing shelter and restrooms for students, and allow passive recreational use (trails) within designated upland areas furthering the observation and appreciation of nature and wildlife.



Improving Kawaiinui's ecology and endangered waterbird habitat would be for the public's enjoyment. However, without public access, visitors and residents would not be able to view, enjoy and benefit from these restoration efforts. This state resource of international importance is not something that should be hidden and restricted from public access.

We are not sure who provided you information on the project, but your perception of the project is not correct. We suggest you should read the EISPN and the Draft EIS to get more factual information on the project. The project plans do not include "approximately 34 large glass AC buildings and approximately 17 parking lots." Structures include restroom facilities, pavilions to provide shade for visitors and students participating in educational programs, simple covered parking for DOFAW vehicles, and storage sheds for equipment. Commercial tour buses are not allowed at these facilities, unless authorized by permit by DSP. DOFAW can permit up to 100 commercial visitors a day. However, both DOFAW and DSP have not issued permits to allow commercial tours within the project area, and issuance of such permits is not planned under this project.

While buses will be accommodated by prior arrangement for programs, no commercial tour buses or commercial activity is allowed on state land, including lands used by non-profit organizations. We have no evidence to support your "sense" that "some cultural practitioners pushing this project forward" anticipate potential financial gain or are "extending arms wide open" to the admission tour buses. Non-profit organizations are not permitted to operate as private for-profit businesses. Your characterization of proposed cultural centers being a Polynesian Cultural Center reflects a misperception and exaggeration of this concept that may be partly based upon misinformation on the project you relied on that has been spread throughout the community by organizations and individuals.

Non-profit organizations developing and operating areas designated for cultural centers would be responsible for the stewardship and maintenance of their areas. Non-profit organizations involved in stewardship, curatorship, and other activities are viewed as strong and committed partners with DOFAW and DSP. Restoration efforts, educational programs, and cultural programs already being conducted by non-profit organizations at Ulupō Heiau, Nā Pōhaku, the restoration ponds, and other project areas under curatorship agreements reflect their commitment, and are examples of successful stewardship partnerships with DOFAW and DSP.

DOFAW believes that we share the same long-term goals for the project area. Rather than seeing the proposals for trails, educational and cultural facilities as a threat, we see them as a means to support and ensure the long-term care and stewardship of this precious resource.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife



## Ronald Sato

---

**From:** William Sager <bsager42@gmail.com>  
**Sent:** Wednesday, October 19, 2016 10:41 PM  
**To:** Ronald Sato  
**Cc:** Marigold.S.Zoll@hawaii.gov  
**Subject:** Comments and Support for Kawainui-Hamakua Marsh Complex Plan EISPN

This plan incorporates most of the features of the Community Plan developed by the Kailua Community in the 1950s when developers wanted to turn Kawainui Marsh into another Hawaii Kai. I have worked 30 years to establish a management plan for Kawainui Marsh. The current Master Plan takes the plan I have worked so long to see implemented and incorporates almost everything proposed in that original plan into the Kawainui-Hamakua Complex Master Plan. This is the plan the Kailua Community envisioned 60 years ago.

**I support the Kawainui-Hamakua Marsh Complex Plan in its entirety** because of the following invaluable educational, recreational, cultural, and environmental gains:

\*The plan would accomplish the restoration of the wetland ponds, thus opening up areas for endangered birds, fish, and estuary organisms.

\*The master plan would enhance educational access and quality by providing education facilities, trails, and viewing platforms for hands-on learning experiences.

\*The marsh plan recognizes that the Hawaiian presence, along with native Hawaiian cultural/educational centers at the marsh, is the key to its restoration and preservation, the continuation of educational and stewardship programs, and preservation of cultural sites there.

The plan confirms, not denigrates, this wetland and will restore it to some of its ancient pre-eminence. It has survived all the centuries of use, neglect and abuse, but still functions as a living organism, waiting to be restored to fuller utilization. It deserves to be shared, not fenced off, or relegated to secondary status. It deserves the respect and restorative efforts that the Kawainui-Hamakua Marsh Complex Plan provides and sanctions.

**Three important things the Master plan fails to address are:**

1. Food sustainability and the potential to grow native foods in and around the marshes and
2. Establishment of minimum stream flows required to maintain the health of the marsh and its tributary streams as required by HRS § 174C-71 *protection of instream uses*.
3. US Army Corps of Engineers and DOFAW need to construct an underground conduit passage for the flow of water from Kawainui into the Hamakua Canal to re-establish water flow and improve the water circulation and health of Ka'elepulu Stream.

Supporting Organizations include:

- Ahahui Malama I ka Lokahi
- Conservation Council For Hawaii
- Hui Kailua-Kawainui Ka Wai Ola
- Pacific American Foundation

(List in alpha order)

-- Bill Sager [bill@resilientlivingtips.com](mailto:bill@resilientlivingtips.com), 808-375-1114

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1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
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COMMISSION ON WATER RESOURCE MANAGEMENT

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STATE PARKS

NOV 24 2017

Mr. William Sager  
[Bsager42@gmail.com](mailto:Bsager42@gmail.com)

Dear Mr. Sager:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email sent October 19, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPEN) for the subject project.

We don't have information on a community plan for this project area in the 1950's, but the Draft EIS does provide background of prior plans for this area along with previous approvals. We are glad the project's currently proposed plans support those concepts you've supported in the past. We appreciate your support of the conceptual plans proposed for the Kawainui-Hāmākua Master Plan project, and the Draft EIS will document the probable impacts associated with this project. We concur that the project's proposed improvements would support restoring the ecological character of Kawainui and Hāmākua through wetland restoration and upland reforestation.

Other improvements would support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), regulatory requirements for public access and outdoor recreational opportunities, and increase educational programs and stewardship opportunities. The plan recognizes Kawainui's importance to native Hawaiian culture, and provides non-profit organizations with an opportunity to establish a permanent presence to conduct cultural practices, educational programs, and participate in the stewardship of this resource and cultural sites. We concur that this resource of State importance should be shared with the public to facilitate education, cultural practices, and outdoor recreation.

We have the following numbered responses to your comments on the master plan.

1. DOFAW supports food security, food-forests and agroforestry. The Division has planted ulu and banana trees at Kawainui, and are open to other agroforestry efforts. Currently, lo'i kalo and other traditional crops are grown around Nā Pōhaku, Pōhakea, and Ulupō Heiau as a component of educational and cultural practices. The project's conceptual plans would support continuation of these activities, and also allow for such activities to be conducted at the cultural center planned at Kapa'a.

However, larger scale agriculture or aquaculture production as part of food sustainability for the community or public needs to be balanced with the need to protect and manage native wildlife species. Food production activities would be encouraged where appropriate, but will be limited in scope due to relatively limited land area and the need to manage native species as part of the mix. Activities considered commercial agricultural production that would conflict with native species' habitat restoration would not be compatible. Kawainui's wetlands are flood-prone, and intended to serve as habitat for endangered waterbirds as part of the State's wildlife sanctuary, both of which would conflict with larger scale agricultural production and activities.

2. The establishment of minimum stream flows to protect the public interest in State waters, as discussed in § 174C-71, Hawai'i Revised Statutes, aligns with DOFAW's mission to protect watersheds and native ecosystems, which include Kawainui's streams and tributaries. The establishment of permanent standards is determined on a stream-by-stream basis by the Commission on Water Resource Management (CWRM). The project does not need establishment of these standards as a means of achieving its agency mission or project objectives. Wetland restoration efforts to remove the invasive growth of vegetation are more pertinent to restoring the health of this resource, and to support its function for flood control. Restoration improvements are proposed to achieve these goals. The project does not include any diversions of water that could impact stream flow.
3. The permanent water flow restoration between Kawainui's wetland and Kawainui Stream (also known as Hāmākua Canal) traveling towards Hāmākua will not be included as part of this project. We understand that a 2015 planning study explored the possibility of restoring partial water flow from Kawainui's wetland into Kawainui Stream. DOFAW would be evaluating the results of this experiment and other possible implications to their wetland restoration efforts to determine if they would want to alter this water flow change in the future. Such a project would need to be coordinated with other government agencies, and appropriate environmental studies and permitting would be pursued at that time.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



fr

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



45-850 Anoi Road  
Kaneohe, HI 96744

October 22, 2016

Re: Kaawainui-Hamakua Master Plan Project EISPN

I am writing about my concerns of the proposed changes to Kaawainui Marsh.

1. Are plans in place to 100% protect the marsh from invasive species? If so what are they?
2. What protections are in place to prevent the homeless from taking over as they have done in Kaka'ako, Honolulu? The Windward side has experienced increasing camping, littering, drinking, drugs and violence from a visible homeless population.
3. The city had to ban tour buses from taking up parking at Kailua Beach Park. What is being done to insure that this doesn't happen again? Will the marsh be a major tourist destination? How will this be handled?

The proposal would have fit the Windward side in the 1960s but currently new demographics and environmental concerns must be addressed before this project moves forward.

I have lived in Kailua and Kane'ohe since the 60s. And while change is expected over time, good measures put in place now will assure a positive outcome for the marsh and our resident population.

Sincerely,

  
Diane J. Santiago

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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LAND  
STATE PARKS

NOV 24 2017

Ms. Diane J. Santiago  
45-850 Anoi Road  
Kāne'ohe, Hawaii 96744

Dear Ms. Santiago:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your email sent October 22, 2016 on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. Responses are numbered to correspond to your numbered comments.

1. Unfortunately, there are no plans that can protect Kawainui, or other major wetlands, 100% from being affected by invasive plant species. As discussed in the Draft EIS, Kawainui has been impacted by invasive species over several decades, and this is a degraded wetland. Therefore, major components of the project are its natural resources management initiatives as discussed in the document. This includes wetland restoration, upland reforestation, and other improvements to address storm water runoff from upland areas.
2. Unfortunately, homelessness is an islandwide issue. However, DOFAW effectively removes homeless encampments within Kawainui, and appreciates support from the community in notifying them of known camps and issues. Project improvements include efforts to create partnerships with non-profit organizations to increase stewardship opportunities of areas and help monitor activities occurring. Reduced secluded areas make it less likely that homeless camps can become established because of increased visibility and public awareness.
3. Commercial tour buses are not allowed within Kawainui unless permitted by DSP, and issuance of such permits is not planned under this project. Access to Hāmākua is restricted. The Draft EIS discusses management initiatives proposed to address unauthorized commercial tours at Kawainui. We understand your concern with the level of visitor activity in Kailua and general opposition to visitors. However, the project will improve public access to designated upland areas, which includes both visitors and residents. Kawainui is not expected to become a major tourist destination because Kailua's main attraction has and continues to be its renowned beaches and



ocean recreation. The Draft EIS discusses these types of concerns with visitors and efforts planned to properly manage them.

The Draft EIS includes information on Kailua's demographics, and the project would not affect the resident population, its characteristics, housing, and environmental areas. We believe good measures are being put in place with this project to provide a manageable resource that provides educational opportunities, supports cultural practices, and benefits the public.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

## Ka'imi Ventures

P.O. Box 751  
Honolulu, HI 96808  
(808) 842-3429



### HHF Planners

Attn: Ronald A. Sato, AICP, Senior Associate  
733 Bishop Street, Suite 2590  
Honolulu, HI 96813

Re: Comments on the Kawainui-Hamakua Master Plan EIS PN

Kawainui Marsh is an international treasure. As a RAMSAR wetland of international importance we should be supportive of these efforts to restore the wetland habitat, maintain flood control, and encourage once again, the recreational and cultural uses of this special place. Its value as an educational, recreational and research site in the future will only increase with the increased restoration efforts.

The proposed Educational Center and Hawaiian cultural activities along Kapaa Quarry Road will provide a significant resource to the school children and college students who would be the prime users. Facilities like this exist at Kokee State Park and other state and national parks in Hawaii. They can be designed to blend into the landscape, be self-sufficient, and serve as a base for research and education by educational groups. This would not be a large facility that caters to tourists. It would be consistent with the Ramsar designation of Kawainui being a wetland on international significance. Other Ramsar sites have wonderful education centers. Some are even built right in the wetlands they are interpreting for the public. You may want to site some examples in the EIS. The facility will not create a large amount of traffic.

The marsh is now a state wildlife sanctuary. Construction of roads and parking lots in the marsh will not happen. Activities in the marsh are spelled out in the DOFAW rules related to wildlife refuges which limit visitors. The plan is not proposing anything like Hanauma Bay with its very high visitor counts or the construction of something like the Polynesian Cultural Center. The current rules for the curator groups forbid commercial use.



State Parks is looking at passive outdoor recreation on lands purchased with Federal Land and Water Conservation Funding. Development of large facilities is not permitted. The trails are proposed for the surrounding hillsides. The state park at Ulupo Heiau would continue to be restored by curator groups and State Parks.

The no-action alternative to not have a plan for restoration of Kawainui is really not an alternative at all. The marsh will continue its trend towards turning into a swamp, with more trees helping to solidify the floating mat. The EIS should clearly state what this condition would mean to the current residents bordering Kawainui.

In the long-term, the State DLNR should be looking to open up as much water as possible. It will create a habitat not just for the waterbirds and migratory birds, but also the native aquatic resources. Kawainui used to be a large, well-managed fish pond. Parts of it could once again be used to help provide some food sustainability for Oahu.

Thank you for the opportunity to submit these comments.

Sincerely,

A handwritten signature in black ink that reads "Richard J. 'Kaimi' Scudder". The signature is written in a cursive, flowing style.

Richard J. "Kaimi" Scudder, owner

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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NOV 24 2017

Mr. Richard J. "Kaimi" Scudder  
Ka'imi Ventures  
P.O. Box 751  
Honolulu, HI 96808

Dear Mr. Scudder:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter sent October 21, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We concur that wetland restoration and upland reforestation improvements are needed for Kawainui to restore its ecological character, which is currently that of a degraded resource. Other improvements would support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), regulatory requirements for public access and outdoor recreational opportunities, and increase educational programs and stewardship opportunities. The plan recognizes Kawainui's importance to native Hawaiian culture, and provides non-profit organizations with an opportunity to establish a permanent presence to conduct cultural practices, educational programs, and participate in the stewardship of this resource and cultural sites. We concur that this resource of State importance should be shared with the public to facilitate education, cultural practices, and outdoor recreation.

We agree that the proposed educational center and areas designed for use as cultural centers would provide a significant resource for children, students, and adults to learn of this resource and cultural practices. Similar facilities do occur at other state park sites, and proposed facilities at Kawainui can be designed to blend into the surrounding environment.

Ramsar supports sustainable tourism, recreational use, and cultural practices within designated wetlands. Ramsar views sustainable tourism as maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (e.g. pedestrian trails, education center, etc.) supporting these aspects of sustainable tourism recognized under Ramsar. Other Ramsar sites do have well-designed education and visitor centers to support these objectives, and the proposed facility at Kawainui



would of a much more modest scale than others. The Draft EIS provides background information on Ramsar.

We confirm that access roads and parking area would be constructed within upland areas and not within wetland areas of Kawainui. No commercial activities for visitors are planned, and DOFAW's wildlife sanctuary rules do allow for effective management of areas to address public access being provided to this area. We concur that unfortunately misinformation on the project has been spread throughout the community resulting in misperceptions of the project, such as those referencing it being like Hanauma Bay or the Polynesian Cultural Center. Another issue is people developing opinions while not really understanding the project because they have not reviewed the Draft Master Plan report that was revealed in community meetings held by the Hoolaulima organization. Information on these community issues are discussed in the Draft EIS.

Pedestrian trails with accessory improvements, such as restrooms, observation decks, are planned to support passive outdoor recreation based upon Land and Water Conservation Fund Act requirements. These facilities are relatively minor in size, and the education center would be the only larger facility related to these outdoor recreation activities with increased public access. DOFAW and DSP appreciate the restoration efforts being conducted by non-profit organizations at Ulupō Heiau and Nā Pōhaku, and look to increase these types of stewardship partnerships.

We agree that a No Action alternative for Kawainui not supporting wetland restoration and upland reforestation efforts is not a feasible or practical one because it would not meet the purpose and need for this project. Invasive species would continue expanding and negatively impact this wetland resource. The Draft EIS discusses this alternative in more detail, and the No Action alternative would serve as a baseline for evaluating project-related effects.

Wetland restoration plans are intended to create more open water along with a mixture of different habitat (e.g. mudflats) and transition areas toward upland areas. These efforts would support improving habitat for both waterbirds and aquatic resources, and the Draft EIS includes more information addressing this.

Currently, lo'i kalo and other traditional crops are allowed to be grown around Nā Pōhaku, Pōhakea, and Ulupō Heiau as a component of educational and cultural practices. The project's conceptual plans would support continuation of these activities, and also allow for such activities to be conducted at the cultural center planned at Kapa'a. However, larger scale agriculture or aquaculture production as part of food sustainability for the larger community or public is not appropriate within the project area. Such activities would be considered commercial agricultural production that is not permitted.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Smith", with a small "PS" written below it.

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



## Ronald Sato

---

**From:** Heather Shank <hallenshank@yahoo.com>  
**Sent:** Thursday, October 13, 2016 1:52 PM  
**To:** Ronald Sato; Marigold.S.Zoll@hawaii.gov  
**Subject:** Kailua: Marsh Project

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

It seems I hear from every resident that they don't want the marsh developed but we residents don't seem to get any vote?? DLNR has decided to use the marsh area around Kailua to make money. Is there any chance of stopping this project?

Here are some of my concerns:

- 1) Foremost is my concern that our beloved hometown which has already become a tourist destination thanks to many busloads of people being dropped here every day will further become a theme park. With more attractions and more places to bring people via bus how can we residents have any sense of control rather than sheer invasion?? Please explain how commercial traffic can/will be limited?
- 2) The wetlands are a sensitive area. Paths, buildings and parking lots, let alone litter that comes with visitors can only lead to a degradation of this unique area. Heck, we can't even keep Kailua beach park clean and its restrooms clean and safe -- what reassures us that this project will be well managed?
- 3) Will these DLNR lands/building/access be leased out to private businesses who will be out to maximize profit? These lands might be held by DLNR but they are meant to be in the public trust. Very worrisome.

I would much appreciate a response to my concerns. I am happy to disseminate your reply to reassure concerned citizens.

Thanks,  
Heather Shank  
118 S Kalaheo Ave  
Kailua 96734

--

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1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Heather Shank  
118 S. Kalāheo Avenue  
Kailua, Hawai'i 96734  
[hallenshank@yahoo.com](mailto:hallenshank@yahoo.com)

Dear Ms. Shank:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your email sent October 13, 2016 on the Environmental Impact Statement (EIS) Preparation Notice (EISPEN) for the subject project. We have the following responses to your comments, some of which are numbered to correspond to your comments.

There have been comments, questions, issues, and support raised by several organizations and individuals on both sides of the issue associated with public access and facilities supporting this and cultural practices. The Draft Master Plan (May, 2014) included an Appendices that documented public informational meetings, community meetings, and included comments received by the community during the preparation of that report. Since then, a summary of comments received on the draft master plan, with responses, and copies of all written comments was made available to the public and those submitting comments in August 2016.

The Draft Master Plan report also discussed the planning process and framework implemented in developing conceptual plans for this project. Public input represents one element of this process along with other factors such as regulatory requirements, project needs, and assessment of existing conditions. The interests of the entire State of Hawai'i needs to consider because Kawainui is a state-owned resource of international importance for the public.

1. We understand your concerns and opposition to the level of visitors to Kailua, and your opposition to changes that may attract more visitors to Kailua based upon your comments. The Draft EIS discusses the background associated with this issue, which is attributable to several items, such as Kailua's renowned beaches and ocean recreational activities. However, characterizing Kailua as a "theme park" is not an accurate representation and an exaggeration of actual conditions.



The project does not include commercial development for visitors, and commercial tour buses are not allowed within Kawainui unless permitted by DSP or DOFAW. The issuance of commercial permits is not planned under this project. The Draft EIS includes discussion of various management alternatives available to DOFAW and DSP to manage visitor activities at Kawainui. However, the project will improve public access to designated upland areas, which includes both visitors and residents. Kawainui is not expected to become a major tourist destination because Kailua's main attraction has and continues to be its renowned beaches and ocean recreation. The Draft EIS discusses these types of concerns with visitors and efforts planned to properly manage them.

2. We need to clarify that the ecological character of Kawainui is currently not that of a pristine resource or habitat needing protection, but of a degraded resource that needs wetland restoration and upland reforestation efforts to address the expansive invasive vegetation overtaking it. The Draft EIS discusses the effects on the environment from proposed improvements. Necessary trash receptacles would be provided for visitors to use when discarding trash. The non-profit organizations managing the education center and kauhale complex at Pōhakea would be responsible for contracting out or taking care of the proper collection and disposal of such refuse in coordination with DSP. DOFAW would monitor activities and can restrict access to areas under their jurisdiction as part of their management practices, if necessary, to rectify situations.
3. The areas designated for cultural center use would be provided to non-profit organizations. These areas would be constructed and operated by non-profit organizations selected through the State's open and competitive procurement process, such as a Request for Proposals solicitation. The education center could be constructed by DSP or a non-profit organization, and DSP or a selected non-profit organization would manage that facility. Non-profit organizations already involved with stewardship, education, curatorship, and other activities in the project area have proven to be good and committed partners with DOFAW and DSP. We view increased partnerships and activities with organizations supporting the project objectives as being beneficial to this resource.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

## Ronald Sato

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**From:** David Smith <printdave@hotmail.com>  
**Sent:** Wednesday, October 19, 2016 5:05 AM  
**To:** Ronald Sato; Marigold.S.Zoll@hawaii.gov; repthielen@capitol.hawaii.gov  
**Cc:** David Smith  
**Subject:** Kawainui-Hamakua Master Plan Project

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

My name is David Smith.  
I live at 188 Aikahi Loop, Kailua.  
We are original owners of our home.

I have lived in Kailua for over 50 years. I grew up here, I went to school here and graduated from Kalaheo High School.

I have been horrified, shocked and greatly disappointed at the gross over development and congestion our formerly small beach communities have gone through.  
The traffic is almost unmanageable during peak times in the center of Kailua and swarms of tourists plague our streets by wondering out into traffic, veering out in front of cars on their rented bikes. It's worse than Waikiki in the 1960's and let me tell you, **WE ARE NOT WAIKIKI and should never be treated like WAIKIKI WINDWARD!**

If this over development continues there will be a backlash from our community... against the politicians who have let our city and neighborhoods be exploited for the profit of a few and against the tourists who infest our home town! again - **WE ARE NOT WAIKIKI and should never be treated like WAIKIKI WINDWARD!**

**“I wish to be a consulting party and have the following comments and questions answered.”**

### **Traffic/parking**

1. A traffic study for the Hawaiian Studies Center at Wai`auia (former ITT property at the entrance to Kailua town) must be done and included in the DEIS.
2. A comprehensive traffic analysis which discusses and evaluates increased impacts from increased traffic at each development area identified in the Plan – Ulupo Heiau, Wai`auia, Mokulana Peninsula, Hawaiian Cultural Complex, Na Pohaku o Hauwahine and the Educational Center must be included in the DEIS.



3. The EIS must discuss how increased car, pedestrian and bike traffic will be managed within Kawainui Marsh and Hamakua Marsh and in adjacent neighborhoods.
4. The DEIS must discuss how increased car, pedestrian and bike traffic will be managed within Kawainui Marsh and Hamakua Marsh and in adjacent neighborhoods.
5. A traffic analysis must be conducted during at least 5 week days morning and afternoon and at least 5 weekend days at the intersection of Kapa`a Quarry Road and Kalaniana`ole Highway and included in the DEIS. This analysis is necessary to assess the traffic impact from the addition of the entire additional car and bike traffic generated a 25-stall parking lot on cars going to Le Jardin and through traffic.
6. Will there be one or two accesses into the 35-stall parking lot at the Education Center? Will a traffic light, stop sign or pedestrian crossing be needed at the entrance(s) and exit(s) into the 35-stall parking lot?
7. The DEIS must address the impact of increased car, pedestrian and bike traffic on the Pali Highway and on the side streets in Kailua town from the increased number of residents and tourists who will go to the many areas open in Kawainui Marsh and hiking at Hamakua Marsh and Wai`auia Center for Hawaiian Studies.
8. In the DEIS explain which entity or entities or agencies will be responsible for ensuring the safety of pedestrians, bike riders and increase car traffic on Kapa`a Quarry Road.
9. A traffic study must be done for the existing access at the proposed Wai`auia Center for Hawaiian Studies and included in the DEIS. The study must address the anticipated increased car and pedestrian traffic since the current access is restricted to city wastewater services. A 14-15-stall parking lot will increase car and pedestrian traffic along this busy street leaving Kailua.
10. A traffic study must be done to assess the impacts of additional cars coming from the Mokulana Peninsula on the Pali from the two driveways at Mokulana and included in the DEIS. This assessment is necessary since the now closed peninsula will, under this Plan, be open to the public and be used for loading/unloading of student groups, a place for volunteers to park their cars, collecting green waste from maintenance activities to transport to vegetation processing area.

11. Kapa`a Quarry Road is a narrow heavily traveled road used by a mixture of cars and all types of heavy fully loaded trucks going to the Quarry, Industrial park and the city transfer station. Introducing more cars onto this road puts public safety at risk. To understand the cumulative impact of additional cars and ensure the safety of motorists who travel Kapa`a Quarry Road a traffic study must be conducted at the following existing and proposed access points from Kapa`z Quarry Road into Kawainui Marsh and included in the DEIS.
  1. Access into the Kalaheo Section where canoes will be launched from Mokapu Blvd.
  2. Mokapu Blvd. and Kapa`a Quarry Road intersection
  3. The two accesses onto and from Kapa`a Quarry Road to the road that goes to the rock quarry and Kapa`a Industrial Park
  4. Existing access from Kapa`a Quarry Road into the model airplane field
  5. Proposed access from Kapa`a Quarry Road into the marsh vegetation processing area
  6. Existing access from Kapa`a Quarry Road into the city transfer station
  7. Two proposed accesses from Kapa`a Quarry Road into the Hawaiian Cultural and Environmental Complex Area two proposed parking lots with a total of 22-stalls.
  8. Existing access from Kapa`a Quarry Road into the Pohakea Cultural and Educational Area proposed 35 stall parking lot.
  9. Proposed access at the southern end of Kapa`a Quarry Road into a proposed 25-stall parking lot
  10. A DOFAW access off Kapa`a Quarry Road across from Le Jardin Academy for DOAW management activities.
  11. Proposed access at an undisclosed location from Kapa`a Quarry Road to a DOFAW existing maintenance road
  12. Intersection of Pali Highway and Kapa`a Quarry Road
  
12. When the trails and paths in Kawainui Marsh are open for public use and the 3 identified parking lots – 25 stalls near the intersection of Pali and Kapa`a Quarry Road, 35 stalls for Na Pohaku o Hauwahine and Hawaiian Cultural and Environmental Center and 22-stalls at the Hawaiian Cultural and Environmental Area are filled what other areas will be available for overflow parking?
  
13. How many parking stalls will be at the Kalaheo site and how many cars can the Kalaheo site hold in a sustainable manner?
  
14. How many entrances and exits will be at the Kalaheo canoe section?
  
15. Will the 14 or 15 parking lot stalls at the Wai`auia Center for Hawaiian Studies have parking for tour buses and tour vans? If so how many spaces will be devoted to tour buses and tour vans?



16. Will any of the 22 parking lot stalls at the Hawaiian Cultural and Environmental Center accommodate tour buses and tour vans? If so how many spaces will be devoted to tour buses and tour vans
17. How many vehicle stalls in the 35-stall parking lot of the Education Center will be allotted for tour buses and tour vans?
18. How many of the 25 stalls at the area near Kapa`a Quarry Road and Pali Highway will be available for tour buses and tour vans?
19. Will there be one or two accesses into the 35-stall parking lot at the Education Center? Will a traffic light, stop sign or pedestrian crossing be needed at the access points leading into the 35-stall parking lot?
20. The DEIS must include a comprehensive traffic study for the Education Center access points and must be conducted over at least 2 weeks 3 times a day during weekday morning and afternoon rush hours and 3 times a day during a weekend to understand the full traffic impact on Kapa`a Quarry Road safety.
21. It is a concern that once all parking lots are full and people want to hike the trails and paths or visit Na Pohaku o Hauwahine, Pohakea, Cultural and Educational Area, or the Hawaiian Cultural and Environmental Complex that they will park on Kapa`a Quarry Road. The DEIS must evaluate the safety issue of people parking on and crossing Kapa`a Quarry Road.
22. Will there be street lights at any of the entrances to the 3 parking lot areas – Hawaiian Cultural and Environmental Center, Na Pohaku o Hauwahine and Educational Center area and the parking lot at the intersection of Pali Highway and Kapa`a Quarry Road? Will there be lights at any of the parking lots? If so what hours will the lights be on?
23. The DEIS must address how increased car, pedestrian and bike traffic will be managed within Kawainui Marsh and Hamakua Marsh and in adjacent neighborhoods.

24. Will visitors to the Hawaiian Cultural and Environmental Center, Na Pohaku o Hauwahine/Educational Center and Hawaiian Studies Center at Wai`auia be charge for parking? If so what is the parking fee per hour.
25. Will left hand turns be allowed from all or any of the three entrances and exits off Kapa`a Quarry Road into Kawainui Marsh? Will stop signs, signals and/or pedestrian crossings be put in or needed? If so at which exits/entrances and what type – stop sign, signal, pedestrian crossings?
26. Is public bus service available on Kapa`a Quarry Road?
27. Are bike routes planned for Kapa`a Quarry Road and within and around Kawainui Marsh and Hamakua Marsh?

### **General Comments/questions**

28. How many “small viewing platforms” are proposed along the 10-12 foot wide pedestrian trail that goes from Ulupo Heiau 250-300 feet below Kukanono Subdivision? What are the dimensions of each viewing platform, what construction materials will be used, will they go into the wetland, catapult over the wetland, be built at ground level or post and pillar construction
29. How many canoes can the Kalaheo Section sustainably handle on a daily bases? How many canoes will be stored at Kawainui State Park Reserve, Kalaheo Section? How many people are estimated to use the Kalaheo Section each weekday and each weekend to launch canoes?
30. What entity or entities will be responsible for maintaining the grassed embankments at the Kalaheo canoe launch site?
31. The Plan does not have a rendering of the Kalaheo Section canoe launching site so it was impossible to see the entire building layout including how many buildings are proposed and where they will be located or where the interpretive center, parking lot, restrooms and 3,600-square foot hale wa`a with a small meeting room and large covered lanai will be located.



32. Is it permissible to live permanently on state property whether managed by State Parks or Department of Forestry and Wildlife such as a caretaker's cottage at the Hawaiian Cultural and Environmental Complex?
33. Since this is master plan for Kawainui Marsh and Hamakua Marsh why is the word marsh missing from title?
34. Will the material dredged from Kawainui Marsh and Hamakua Marsh and taken to the vegetation Processing site for processing be tested for contaminants before, during or after the green waste processing process?
35. The title Kawainui-Hamakua Master Plan Project is unclear? What does Project refer too?
36. The DEIS must address how invasive mammals will be eradicated in Kawainui Marsh and Hamakua Marsh in order to protect the migratory and endangered waterbirds.
37. The DEIS must describe the proposed "improvements" and their locations and how the improvements will improve flood retention within Kawainui Marsh.
38. The DEIS must identify what ecological functions will be restored.
39. The DEIS should identify what "enhancements" methods that will be used by non-profit organizations to improve wetland and habitat in Kawainui Marsh and Hamakua Marsh.
40. How many people are anticipated to visit each of the 3 sites along Kapa`a Quarry Road – Hawaiian Cultural and Environmental Center, Na Pohaku o Hauwahine and Cultural Center area and walk on the trails and boardwalk each day?
41. Are there a limited number of people who can visit each site per day? If so what is that number.

42. What is the carrying capacity of Kawainui Marsh and Hamakua Marsh?
43. What are the initiatives that will be used to restore Kawainui wetland and Hamakua wetland and who will be responsible for those initiatives?
44. The DEIS must specify location of uplands that will be reforested, what methods will be used in the reforestation, what plants will be planted, and how many non-native trees will be cut down, if any.
45. The DEIS must identify the locations where “short-term construction related impacts” are predicted and describe the types of “short-term construction related impacts” on Kawainui and Hamakua wetland, surrounding environment, and endangered waterbirds habitat.
46. The DEIS must identify what types of best management practices will be used at each construction area and identify who is responsible for ensuring that best management practices are being followed.
47. Will commercial activity be permitted at each of the developed sites such as selling t-shirts, printed material, tour vans and buses?
48. Will entrance fees be charged at each of venues along Kapa`a Quarry Road and Hawaiian Studies Center at Wai`auia at the entrance to Kailua Town?
49. The DEIS must define what is the purpose of the Kawainui – Hamakua Master Plan Project and describe how each proposed project will meet that objective.
50. The DEIS must identify and describe the physical characteristic changes that have occurred in Kawainui since the 1994 Kawai Nui Master Plan.
51. The DEIS must identify what objectives and community priorities have changed from those in the 1994 Kawai Nui Master Plan.

52. How will public access to hiking trails, boardwalks, bridges and causeways be controlled?
53. Are the all ponds built by the Army Corp of Engineers to provide habitat for Hawaii's four endangered waterbirds working as designed? If not the DEIS should explain why hey aren't working.
54. What types of educational programs and activities are proposed for Department Of Forestry and Wildlife (DOFAW) management and research station? How are the educational programs different from the proposed educational programs proposed at the Education Center?
55. Stakeholders are mentioned in the Plan. Who are the stakeholders in the Kawainui-Hamakua Master Plan Project?
56. Since Kawainui Marsh and Hamakua Marsh provide habitat for Hawaii's four endangered water birds why isn't habitat improvement included as one of the four project objectives?
57. Will an archaeological survey and analysis be conducted at each proposed development site prior to excavation of material for construction?
58. How many trees will be cut down at each development site and why?
59. Will the mature majestic trees between the wetland and Kapa`a Quarry Road be cut down or kept? If cut down please explain why.
60. How many canoes will be stored at the Kalahelo Section? How many canoe clubs and schools will use this site to launch canoes? How many canoes will be in Onawa Canal per hour/per day?
61. Will permits be required to store and launch canoes from the Kalaheo site? If so what type of permit is needed?



62. What process or processes will be used to award a non-profit organization a permit to use the public land identified in the plan?
63. Why will all the trails and paths be 10 to 12 feet wide?
64. The Education Center is planned to be 4,000 sq ft. why does it have to be that large?
65. Since municipal sewer hook up is not available on Kapa`a Quarry Road what types of sewage treatment systems will the several developments use and how will the public be assured that sewage will not seep into Kawainui Marsh?
66. How will grading, grubbing and construction of trails, bridges, boardwalks, countless buildings and non-municipal sewage systems impact Kawainui Marsh?
67. Studies on air and water quality and noise must be done and included in the DEIS.
68. A study on impacts on view plains from the construction of multiple buildings must be done and included in the DEIS.

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DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

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BOATING AND OCEAN RECREATION  
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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Mr. David Smith  
188 Aikahi Loop  
Kailua, Hawai'i 96734

Dear Mr. Smith:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your email sent October 19, 2016 on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. You have been added as a consulted party, and will receive a copy (CD) of the Draft EIS when published for review. We have the following responses to your comments, which are numbered to correspond to your comments.

We understand your concerns and opposition to visitors to Kailua, and your opposition to changes that may attract more visitors to Kailua based upon your comments. The Draft EIS discusses the background associated with this issue, which is attributable to several items, such as Kailua's renowned beaches and ocean recreational activities available. The project includes improvements that support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), requirements for providing public access and outdoor recreation, and supporting cultural practices.

Ramsar supports sustainable tourism, recreational use, and cultural practices within internationally designated wetlands. Ramsar views sustainable tourism as including maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (e.g. pedestrian trails and education center) supporting these aspects recognized under Ramsar. Project improvements also support educational programs by providing shelter and restrooms for students, and allow passive recreational use (trails) within designated upland areas furthering the observation and appreciation of nature and wildlife. Most of the information addressing your questions and comments are in the EISPN, however, the Draft EIS provides more information as indicated in the responses to your comments.

1. The Draft EIS includes a traffic impact analysis report that addresses the project's impact on major intersections around the Kawainui project area.
2. As previously discussed, the Draft EIS includes a traffic impact analysis report that addresses the project's impact on major intersections around the Kawainui project area. Discussion of traffic generated from the various sites generating activity is also included in the Draft EIS.
3. Hāmākua would have minimal effect on traffic, pedestrian, and bicyclists because this site has restricted access. Only when occasional cultural activities, educational programs, and community service learning projects occur would such traffic be generated. Within Hāmākua, only pedestrian traffic as part of activities would occur, and can be managed by DOFAW, and vehicle traffic would only be associated with parking within the site.

The Draft EIS includes discussion of various management alternatives available to DOFAW and DSP to manage visitor activities at Kawainui. New pedestrian trails would not allow bicyclists at this time. The project should have minimal effect on pedestrians in adjacent neighborhoods. Visitors would have access to pedestrian trails only at designated access points. Within the Kūkanono neighborhood, the only access points to trails would be from existing locations, which are at Ulupō Heiau and DOFAW's management station. Visitors to Kawainui are expected to drive there and not walk because it is not convenient and a significant distance away from existing residences. Similarly, the number of visitors using bicycles as an alternative mode of transportation to visit Kawainui would be low.
4. Refer to response No. 3 for this comment.
5. A traffic analysis for the suggested number of weekdays and weekends is not necessary to address traffic impacts resulting from the project. The traffic study conducted follows standard methods and practices that are appropriate for this project. The Draft EIS discusses traffic relative to pertinent sites generating activities. Vehicles using the parking lot across of Le Jardin Academy would not have a significant impact because trips to the lot would occur outside of the morning peak hour and not conflict with students going to school, and the number of cars accessing the parking lot in the afternoon peak hour would be small.
6. There is only one vehicle access proposed for the education center at Pōhakea. A traffic signal would not be required due to the relatively low volume of vehicles visiting the center in relation to traffic along Kapa'a Quarry Road. Stop signs and pedestrian crossing are pertinent to intersections of major roadways, which isn't the case at this site. Kapa'a Quarry Road is the only road in this area. An existing driveway off of Kapa'a Quarry Road is planned to service the education center.
7. Response No. 3 addresses your comment regarding Kalaniana'ole Highway (Pali Highway). As previously responded, Hāmākua would have minimal effect on traffic, pedestrian, and bicyclists because this site has restricted access. The project would have minimal effect on vehicle, bicycle, and pedestrian traffic in Kailua town. The majority of visitors to Kawainui would be incidental visitors who are already making a trip to Kailua as their primary reason for traveling, such as visiting the renowned beaches and ocean recreational activities. As visitors enter Kailua town, they would disperse, using a wide range of available roadways, over several hours during the day to reach their desired destination. The cultural center at Wai'auia that is constructed and operated by a non-profit organization for cultural practices would not be open to the general public and tourists.



8. Non-profit organizations operating the cultural centers would be responsible for the safety of their guests. DSP and the non-profit organization(s) managing the education center and kauhale complex would be responsible for the safety of visits within their jurisdictional areas. DOFAW would be responsible for visitors accessing permitted areas within their jurisdiction. Persons using Kapa'a Quarry Road would be responsible for their own safety as would anyone else using other roadways in Kailua.
9. Responses No. 1 and 2 address your comment regarding the cultural center proposed at Wai'auia. The Draft EIS includes information addressing traffic related to this site. As discussed in response No. 7, Wai'auia would be operated by a non-profit organization for cultural practices, and would not be open to the general public and tourists. Guests to this center and the few parking stalls for the public to access the levee for walking would add only a few cars to this intersection during the afternoon peak hour.
10. A traffic study for improvements to the Mokulana Peninsula is not necessary because vehicle access to this site is restricted, and would thus have minimal effect on traffic, pedestrian, and bicyclists. Only when occasional educational programs, community service learning projects, and cultural activities occur would any vehicle traffic into this site be generated. Such activities would only generate temporary traffic entering and exiting the area, and can be scheduled to not occur during the weekday morning peak hour. Visitors using the pedestrian trail would need to access the trail from other areas, such as DOFAW's management station. Similarly, DOFAW upland reforestation efforts at Mokulana would only generate temporary traffic for workers and activities that would not impact the weekday morning peak hour. These reforestation activities completed at the end of the day would finish before the weekday afternoon peak hour occurs.
11. Kapa'a Quarry Road is used by a mixture of vehicles and trucks, but it does not have a high volume of traffic on a daily basis, or during the weekday afternoon peak hour, as compared to most other urban roadways in Kailua and on O'ahu. This road is also of sufficient width similar to other urban roads in Kailua, and was recently repaved and restriped by the City. The traffic study includes the main signalized highway intersections at each end of Kapa'a Quarry Road, and the Draft EIS also includes information on traffic related to pertinent project-related sites. A traffic study is not necessary for the quarry, City transfer station, and model airplane park because these are only driveways, and the project is not changing their use. The Kapa'a light industrial area is not being changed by the project, and a traffic study is not needed for Kapa'a Quarry Place. The two access driveways used by DOFAW along Kapa'a Quarry Road are restricted and only used for maintenance access and other authorized activities (e.g. educational programs), and don't require a traffic study. Vehicle activities associated with the other project access driveways (e.g. education center and Kawainui State Park Reserve (SPR), Kalāheo site) are addressed in the Draft EIS.
12. The area designated for cultural practices at Kapa'a (Hawaiian Cultural and Environmental Center) would be operated by a non-profit organization for cultural practices by their guests. It would not be open to the public and tourists. The non-profit organization would need to accommodate any overflow parking within their area. Parking within the educational center at Pōhakea would similarly need to accommodate overflow parking within their site, and street parking at the southern parking lot would be discouraged. Limiting the number of available parking stalls serves as one method of managing the number of visitors.



13. A parking lot of about 36 stalls with additional areas for trailers (canoes) is planned at the Kalāheo site. However, the actual number of stalls would be determined by DSP when the design for that site is implemented. The design phase would determine an appropriate and sustainable number of stalls.
14. The Kalāheo site is planned to have just one vehicle entrance even though that site is currently permitted three access driveways.
15. Wai‘auia would be operated by a non-profit organization for cultural practices, and would not be open to the general public and tourists. There would be no issues with commercial tour buses or vans at this site.
16. The cultural center at Kapa‘a would be operated by a non-profit organization for cultural practices, and would not be open to the general public and tourists. There would be no issues with commercial tour buses or vans at this site.
17. Commercial tour buses or vans would not be permitted at the Pōhakea education site unless issued permits by DSP. DSP does not plan to issue such permits under this project.
18. Commercial tour buses or vans would not be permitted at the parking lot across of Le Jardin Academy.
19. Please refer to response No. 6 for this comment.
20. Please refer to response No. 5 for this comment regarding the education center, which is applicable here.
21. Please refer to response No. 12 for this comment. Parking for Nā Pōhaku and the kauhale complex are shared with the education center because all those activities are integrated with the education center to manage that area. Visitors would be discouraged from parking along Kapa‘a Quarry Road and the State DLNR, Division of Conservation and Resources Enforcement (DOCARE) would enforce this parking restriction.
22. No street lights are planned at the entrance to the parking lot across of Le Jardin Academy. Whether street lights or other parking lot lighting is required for the cultural center and education center would be determined as part of the design phase for those improvements. The non-profit operating those facilities would determine the hours needed for parking lot lighting, which would likely be dependent upon activities occurring there.
23. Please refer to response No. 4 for this comment.
24. The non-profit organizations operating the cultural centers and education center facilities would determine whether fees for parking would be required in consultation with DOFAW and DSP.
25. Left-turns into the driveways for facilities and parking lots along Kapa‘a Quarry Road would be permitted. Stop signs, traffic signals, and pedestrian crossing are pertinent to intersections of major roadways, which isn’t the case along sites planned along Kapa‘a Quarry Road. Kapa‘a Quarry Road is the only road in this area.
26. City transit service (bus) routes do not occur along Kapa‘a Quarry Road.
27. No bike routes are planned as part of this project, which includes along Kapa‘a Quarry Road.
28. Only one observation platform is currently planned along the pedestrian trail from Ulupō Heiau toward DOFAW’s management station. After vegetation clearing and a trail design is completed avoiding historic sites, DSP could decide whether additional viewing areas would be beneficial for the public. The Draft EIS discusses the concept for such viewing platforms, however, the design phase for this structure would determine the final size,



- dimensions, material, and foundation design. Viewing platforms along this section of the pedestrian trail are planned to be constructed within upland area outside of the wetland.
29. The Draft EIS discusses the hale wa'a planned and how many canoes it may store. The actual design and construction of this canoe storage would be funded and built by a non-profit organization(s). The Kalāheo site could accommodate far more canoes than is planned, but DSP plans to limit the number of canoes through issuance of permits. The Draft EIS discusses projected canoe related activities at this site.
  30. DSP would be responsible to maintain the grassed embankments at this site, as they are required to do now.
  31. The EISPN included information and the Draft EIS includes more information on improvements proposed at this Kalāheo site. A rendering of the canoe launch site is not required. This would generally consist of a grassed embankment where schools and canoe clubs would carry their canoe into the canal to launch.
  32. DSP and DOFAW can allow use of their jurisdictional areas to include a permanent residence, such as a caretaker's cottage for the cultural center at Kapa'a. A former ranch using a portion of Kawainui included a residence for many decades.
  33. The word "marsh" is not required for a project title. The Draft EIS identifies the proper name describing these resources and explains that the shorted name for these sites is used to simplify identification of them in the document.
  34. The vegetation extracted from Kawainui and Hāmākua as part of wetland restoration and upland reforestation improvements do not need to be tested for contaminants as part of vegetation processing.
  35. The term "Project" refers to the improvement proposed, and are discussed in the Draft EIS.
  36. The Draft EIS discusses the trapping program presently occurring to address invasive mammalian species that would be continued with the project.
  37. The Draft EIS discusses proposed improvements and includes several figures to supplement these descriptions, and discusses how wetland restoration efforts would improve flood control.
  38. The Draft EIS describes the ecological functions that would be restored as part of this project.
  39. Non-profit organizations establishing cultural centers at Kawainui would support stewardship of their areas, such as maintaining vegetation, assisting DOFAW with wetland or upland reforestation in their area, etc. Hāmākua would continue to be solely under DOFAW's jurisdiction. The Draft EIS discusses the type of activities non-profit organizations would support DOFAW in.
  40. The Draft EIS includes projections of visitors and activities occurring at the cultural centers and along pedestrian trails.
  41. There is no limit currently proposed on the number of visitors to the education center, pedestrian trails, and other areas open to the public. However, the size of the parking lot provides some control over the number of visitors at any given time. DSP and DOFAW would monitor visitor levels and activities in partnership with the non-profit organizations operating the education center and kauhale complex. If necessary, DSP and DOFAW can restrict the number of visitors. The non-profit organizations operating their cultural centers would be responsible for the number of guests and activities occurring at their areas.



42. The application of the carrying capacity concept is somewhat flawed because it is derived from biological models of the capability of resources to sustain a given number of animals over a period of time in a particular place. This does not translate readily into the management of human recreational experiences. The carrying capacity concept is also viewed to be problematic in the sense that it implies that there is an absolute threshold of (for example) visitor numbers below which there is no or minimal impact. In addition, capacity in relation to one variable is only practically meaningful when related to other linked variables. For example, the size of visitors that can acceptably be accommodated within an area would be dependent on other factors such as the behavior of visitors, the age of the visitors, the applicability of support improvements (e.g. paths), quality of education material and guidance provided visitors, etc.
- Projected visitors to Kawainui are at levels not expected to cause intolerable visitor experiences (e.g. overcrowding) or significant degradation of upland areas. Visitors would not be entering Kawainui's large wetland area or disturb endangered waterbirds, and access would be managed such as providing viewing opportunities at designated observation sites (e.g. viewing platforms). Acceptable visitor levels could also be much higher than that projected, but that doesn't mean efforts would be taken by DSP and DOFAW to now increase Kawainui visitors up to maximum desired levels, such as now issuing commercial permits.
- Rather than seeking to define the "correct" maximum capacity, a more feasible and practicable approach is to develop monitoring, planning, and management protocols based on levels of impact or changes that consider both the receiving environment and the visitor experience. Therefore, the level of acceptable change from these factors can be more appropriately evaluated. The management approach would be focusing on achieving objectives defined in terms of staying within maximum acceptable deviations, such as variation in ecological conditions, visitor experiences, etc. Management options and monitoring would be more practicable and feasibly implemented to evaluate whether the amount of change occurring can be tolerated, changes to visitor experiences and satisfaction, and when steps should be taken to prevent further undesirable changes. The management options discussed in the Draft EIS support these efforts.
43. The Draft EIS discusses the initiatives proposed to restore Kawainui's wetland and improve Hāmākua's wetland.
44. The Draft EIS includes information addressing upland reforestation improvements planned.
45. Short-term construction related impacts would occur where physical improvements are implemented, and the Draft EIS discusses where these improvements would occur and graphically identify them on figures. The Draft EIS discusses short-term construction related impacts for these improvements, and identifies mitigative measures, if warranted.
46. The Draft EIS discusses the type of best management practices that can be implemented to address short-term construction related effects. However, the actual measures designed for implementation would be determined as part of the project's design process when various improvements are programmed for implementation. The contractor constructing improvements would be responsible to implement these measures, and DOFAW and DSP in coordination with State DLNR's Engineering Division would be responsible to monitor activities to ensure compliance.

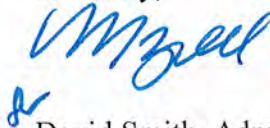
47. Private commercial activity would not be permitted at the cultural centers planned. The education center would not have commercial activity such as van tours, as well. However, the non-profit organization operating the center would likely sell typical materials common at such visitor centers at parks to sustain its operation and support funding educational programs, restoration activities, etc.
48. The non-profit organizations developing the cultural centers would determine any fees or charges that would apply to their guests conducting business there. These cultural centers are not open to the general public. The non-profit organization operating the education center could develop a fee schedule for visitors that would support their operations, support funding educational programs, restoration activities, etc.
49. The Draft EIS discusses the project's purpose and objectives in more detail from the EISPN.
50. The Draft EIS includes more information on changes occurring to the project site since the 1994 master plan.
51. The Draft EIS includes more information on changes occurring with the community over the past several decades, and discusses the background behind much of the community's issues in the social impact section.
52. The Draft EIS discusses public access within upland areas and how these areas are proposed to be managed.
53. The restoration ponds constructed by the U.S. Department of Army are serving their purpose in providing habitat for endangered waterbirds. The project does not involve changing the design or function of the restoration ponds.
54. The Draft EIS discusses the educational programs supported by project improvements and public access for both DOFAW's management station and the education center. Educational programs occurring as part of the education center would be coordinated with DSP and the non-profit organization managing that facility. Educational programs occurring at DOFAW's management station would be coordinated through DOFAW.
55. That Draft Master Plan (May, 2014) included an Appendices that identified the many stakeholders involved, and documents public informational meetings, community meetings, and includes comments received by the community during the preparation of that report. Since then, a summary of comments received on the draft master plan, with responses, and copies of all written comments was made available to the public and those submitting comments in August 2016. These documents can be found on the project web site at the following: <http://www.hhf.com/kawainui/>. The Draft EIS includes a listing of the many agencies, stakeholder, and individuals commenting on the EISPN, and copies of all comments and responses are included in the appendices of the Draft EIS.
56. The EISPN includes improving waterbird habitat as one of the many project objectives that fall under four larger project categories.
57. The Draft EIS includes the results of an archaeological study conducted for this project.
58. The number of trees needing to be cut and removed would be dependent upon design plans developed for implementation for upland restoration improvements when programmed by DOFAW. The design developed for the educational center, cultural centers, and other site improvements would determine the extent of vegetation clearing necessary. It should be noted that the majority of plant species within upland areas are alien (95%) and primarily invasive.
59. Please refer to response No. 58 for this comment.



60. Please refer to response No. 29 for this comment.
61. DSP would issue permits for schools and canoe clubs to launch into Kawainui Canal, and the Draft EIS discusses prior permits previously issued for such activities which would likely apply for future permits.
62. Areas designated to support cultural practices would be constructed and operated by non-profit organizations selected through the State's open and competitive procurement process, such as a Request for Proposals solicitation. These non-profit organizations would be responsible to fund development of the cultural centers.
63. Typical standard pedestrian path widths are 10 to 12 feet wide, and pedestrian paths could be narrower. However, this proposed path width is determined to be practical for pedestrian use.
64. The proposed size of the education center is not large compared to many other education and visitor centers in Hawai'i and nationwide. Many other Ramsar wetland sites have visitor centers larger and more extensive than what is proposed. The proposed size for the education center would be sufficient to provide the basic support facilities (e.g. administration, restrooms) needed to accommodate planned activities.
65. Facilities along Kapa'a Quarry Road would likely use a septic tank system that may be similar to one currently used at the City's model airplane park site. Wastewater systems would be designed to meet applicable regulations, and should not result in sewage spills into Kawainui's wetland.
66. The Draft EIS discusses the project's impact on the environment.
67. The Draft EIS addresses the project's effect on air, noise and water quality. A water quality study is included.
68. The Draft EIS addresses the project's visual impact and public viewing locations and scenic coastal roads.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



## Ronald Sato

---

**From:** Marie <msode@hawaii.rr.com>  
**Sent:** Friday, October 21, 2016 3:16 PM  
**To:** Ronald Sato  
**Cc:** Marigold.S.Zoll@hawaii.gov  
**Subject:** Kawainui-Hamakua Complex Draft Master Plan EISPN

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

I support conducting an Environmental Impact Study and support the Kawainui-Hamakua Marsh Complex Plan in its entirety because of the following invaluable educational, recreational, cultural, and environmental gains:

\*The plan would accomplish restoration of the wetland ponds, thus opening up areas for endangered birds, fish, and estuary organisms.

\*The master plan would enhance educational access and quality by providing education facilities, trails, and viewing platforms for hands-on learning experiences.

\*The marsh plan recognizes that the Hawaiian presence, along with native Hawaiian cultural/educational centers at the marsh, is the key to its restoration and preservation, the continuation of educational and stewardship programs, and preservation of cultural sites there.

The plan confirms, not denigrates, this wetland and will restore it to some of its ancient preeminence. It has survived all the centuries of use, neglect and abuse, but still functions as a living organism, waiting to be restored to fuller utilization. It deserves to be shared, not fenced off, or relegated to secondary status. It deserves the respect and restorative efforts that the Kawainui-Hamakua Marsh Complex Plan provides and sanctions.

Three important things the Master plan fails to address are:

1. Food sustainability and the potential to grow native foods in and around the marshes and
2. Establishment of minimum stream flows required to maintain the health of the marsh and its tributary streams as required by § 174C-71 protection of instream uses.
3. US Army Corps of Engineers and DOFAW need to construct an underground conduit passage for the flow of water from Kawainui into the Hamakua Canal to re-establish managed water flow, and improve the water circulation and health of Kaelepulu Stream.

Marie Sode  
369 Kaimake Loop  
Kailua, HI 96734

P.S. I'm Kama'aina and have been a resident of Kailua since 1975. I was fortunate to avail myself of the Marsh tour in 2014 sponsored by Ahahui Malama I ka Lokahi and had many questions answered regarding the Master Plan.

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**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

SUZANNE D. CASE  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA  
FIRST DEPUTY

JEFFREY T. PEARSON, P.E.  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Marie Sode  
[msode@hawaii.rr.com](mailto:msode@hawaii.rr.com)

Dear Ms. Sode:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email dated October 21 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We appreciate your support of the conceptual plans proposed for the Kawainui-Hāmākua Master Plan project, and the Draft EIS will document the probable impacts associated with this project. We concur that the project’s proposed improvements would support restoring the ecological character of Kawainui and Hāmākua through wetland restoration and upland reforestation.

Other improvements would support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), regulatory requirements for public access and outdoor recreational opportunities, and increase educational programs and stewardship opportunities. The plan recognizes Kawainui’s importance to native Hawaiian culture, and provides non-profit organizations with an opportunity to establish a permanent presence to conduct cultural practices, educational programs, and participate in the stewardship of this resource and cultural sites. We concur that this resource of State importance should be shared with the public to facilitate education, cultural practices, and outdoor recreation.

We have the following numbered responses to your comments on the master plan.

1. DOFAW supports food security, food-forests and agroforestry. The Division has planted ulu and banana trees at Kawainui, and are open to other agroforestry efforts. Currently, lo‘i kalo and other traditional crops are grown around Nā Pōhaku, Pōhakea, and Ulupō Heiau as a component of educational and cultural practices. The project’s conceptual plans would support continuation of these activities, and also allow for such activities to be conducted at the cultural center planned at Kapa’a. However, larger scale agriculture or aquaculture production as part of food sustainability for the community or public needs to be balanced with the need to



protect and manage native wildlife species. Food production activities would be encouraged where appropriate, but will be limited in scope due to relatively limited land area and the need to manage native species as part of the mix. Activities considered commercial agricultural production that would conflict with native species' habitat restoration would not be compatible. Kawainui's wetlands are flood-prone, and intended to serve as habitat for endangered waterbirds as part of the State's wildlife sanctuary, both of which would conflict with larger scale agricultural production and activities.

2. The establishment of minimum stream flows to protect the public interest in State waters, as discussed in § 174C-71, Hawai'i Revised Statutes, aligns with DOFAW's mission to protect watersheds and native ecosystems, which include Kawainui's streams and tributaries. The establishment of permanent standards is determined on a stream-by-stream basis by the Commission on Water Resource Management (CWRM). The project does not need establishment of these standards as a means of achieving its agency mission or project objectives. Wetland restoration efforts to remove the invasive growth of vegetation is more pertinent to restoring the health of this resource, and to support its function for flood control. Restoration improvements are proposed to achieve these goals. The project does not include any diversions of water that could impact stream flow.
3. The permanent water flow restoration between Kawainui's wetland and Kawainui Stream (also known as Hāmākua Canal) traveling towards Hāmākua will not be included as part of this project. We understand that a 2015 planning study explored the possibility of restoring partial water flow from Kawainui's wetland into Kawainui Stream. DOFAW would be evaluating the results of this experiment and other possible implications to their wetland restoration efforts to determine if they would want to alter this water flow change in the future. Such a project would need to be coordinated with other government agencies, and appropriate environmental studies and permitting would be pursued at that time.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



*RS*

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



## Ronald Sato

---

**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 12:05 AM  
**To:** Paulette Tam  
**Subject:** Fwd: EISPN: Environmental Impact Statement Preparation Notice - For Title Project DLNR/ Kawainui-Hamuakua Master Plan

FYI confidential thoughts and information intended only for the recipient and for educational purposes.

----- Forwarded message -----

From: **Paulette Tam** <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
Date: Thu, Oct 20, 2016 at 9:30 PM  
Subject: Re: EISPN: Environmental Impact Statement Preparation Notice - For Title Project DLNR/ Kawainui-Hamuakua Master Plan  
To: Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

Re:  
Public Comments for the EISPN for the DLNR/Title Project Kawainui-Hamakuia Master Plan Project

Location: Ko'olaupoko District, O'ahu, Hawai'i

Tax Map Key No: (1) 4-2-003: 017; and 4-2-013: 005, 010m 022 and 038; 4-2-016: 002 and 015; 4-2-017: 020; 4-2-103: 018; and 4-4-034: 025.

Proposing Agency:  
State of Hawai'i  
Division of Forestry and Wildlife  
Department of Land and Natural Resources  
P O Box 621  
Honolulu, Hawaii 96809

Comments should be sent to the following by Monday, October 24, 2016:

Consultant: HHF Planners  
733 Bishop Street, Suit 2590  
Honolulu, Hawai'i 96813  
Contact: Ronald A. Sato, AICP, Senior Associate  
Email: [rsato@hhf.com](mailto:rsato@hhf.com)  
Phone: [\(808\) 457-3172](tel:(808)457-3172), and

Agency: State of Hawai'i  
Division of Forestry and Wildlife  
Department of Land and Natural Resources  
P O Box 621  
Honolulu, Hawai'i, 96809  
Contact: Ms. Marigold Zoll, O'ahu Forestry and Wildlife Manager  
Email: [Marigold.S.Zoll@hawaii.gov](mailto:Marigold.S.Zoll@hawaii.gov)  
Phone: [\(808\) 973-9787](tel:(808)973-9787)

Aloha and Peace Be With You, Mr. Ronald A. Sato of HHF Planners and Ms. Marigold Zoll of O'ahu Forestry and Wildlife Manager (DOFAW):

My name is Paulette A. Tam, a concerned Kane'ohe Resident and a former Kane'ohe Neighborhood Board Member from 1989 to 2005 with breaks in between 2 @ 2year terms; a former member of Ko'oloupoko Hawaiian Civic Club from 2010 to March 2013; and a former member of the Kailua Hawaiian Civic Club from March 2013 to December 2013. Today, I represent myself.

I support the intent and in its entirety the EIS for the Title Project Kawainui-Hamakua Master Plan Project based on the EIS Report and Reference Resources as additional information to be provided in the following series of email messages:

Note: Reference Resources Attachments in Color and Black Ink to follow:

- \* Board Responsibilities - 4 Attachments

- \*Current Use Status - 4 Attachments

- \*Exhibit B - 4 Attachments

- \*NPOH Part Two - 4 Attachments

- \*BR Two - 3 Attachments

- \*UHSHS - 4 Attachments

- \*C:NROHPIH - 3 Attachments

- \*Kahu Ryan A Kalama Mini Profile:

Past President of the Kailua Hawaiian Civic Club (Deceased in 2013).

I am specifically interested relating to the unpublished Ulupo Heiau Cultural Resources Management & Landscape Plan Draft described in the Kawainui-Hamakua Complex Master Plan Project Summary of Public Comments on Draft Master Plan (May 2014) August 19, 2016."

Page A-3 Section: Specific Master Plan Areas

Sub Section: Ulupo Heiau State Historical Park

" Proposed improvements for Ulupo Heiau State Historical Park are intended to promote the preservation of the natural and cultural resources in the area. No commercial activity is proposed." and

" An earlier plan to improve the access road from Kailua Road to the YMCA parking lot (serving Ulupo Heiau) is no longer included. DSP will continue to coordinate with the YMCA to address use and activities associated with the access road separately from the project."

Please continue to exclude commercial activities at Ulupo Heiau areas including Kawainui-Hamakua Master Plan Project in the Special Management Area (SMA) throughout the public comments for the EISPN through the FEIS and possible future separated EIS for Ulupo Heiau Modifications to the May 2014 Draft Kawainui-Hamakua Master Plan and Major Proposals and Alternatives for DLNR/Title Project Kawainui-Hamakua Master Plan Project. See Page 2-10 Ulupo Heiau Modifications to the May 2014 Draft Kawainui-Hamakua Master Plan Sub Section 3: Wai'auia to Mokulan Subarea.

Additional Reference Resource Information to follow

Ulupo Heiau

Re: Cover Page

Part One Ulupo Heiau Cultural Resources Management & Landscape Plan Draft

November 2011 - Total Pages 139 in color and black ink cartridges.

Re: Title Page

Part Two Ulupo Heiau Cultural Resources Management & Landscape Plan Draft November 2011.

Re: Preface Paragraph 4:

" The planning effort at Ulupo Heiau is an exciting first step towards the restoration of Kawainui as a significant cultural place and wahi pana. The public ownership of almost 800 acres at Kawainui-Hamakua Marsh under the management of the State of Hawai'i, Department of Land and Natural Resources sets a foundation for the restoration of Ulupo Heiau in concert with other restoration projects around the marsh. The update of 1994 Kawainui Master Plan scheduled for 2011 - 2013 offers a way for the planning at Ulupo heiau to be coordinated into the larger plan that should promote the natural setting and cultural landscape of Kawainui within the Kailua Ahupua'a."

Part Three Ulupo Heiau Cultural Resources Management & Landscape Draft

Re: Acknowledgments of the June 20, 2009 and October 17, 2009 Participants.

Paragraph 6 and 7:

"The planning team would also like to say mahalo to the review committee that spent many hours reviewing, editing, and providing constructive comments on the many drafts of this plan. Representing the various stakeholders at Ulupo Heiau, we would like to acknowledge the members of the dedicated review committee for their guidance and continued support:

\* Ahahui Malama I Ka LoKahi - Dr. Charles Burrows, Shirley Garcia, Samual 'Ohukani'ohi' a Gon, Charles Lehuakona Isaccs, Rick Kaimi Scudder, and Marie Terri.

\* Kailua Hawaiian Civic Club - Mina Eleison.

\* Division of State Parks - Marha Yent.

"It is with the support of all these people and organizations that have been able to complete this plan for Ulupo Heiau. We now look forward to its implementation over the next 5 years. Mahalo kakou!"

~~~

Additional Information:

On another note:

Re: Request of the State of Hawai'i DLNR/DOFAW continuous oversight for Public Safety and insurance Liability concerns at Ulupo Heiau State Historical Park where its visitors, volunteers and student groups' foot traffic on the much used parking lot and access road from Kailua Road to the YMCA including increased oversight of herbicide use and maintenance of the overgrown landscape in the area of Ulupo Heiau State Historical Park by its curators on a regular basis by Hawai'i State Park and/or DLNR/DOFAW employees, please, until the completion of and/or sunset date of January 22, 2022 in the CDUP: OA-3068 Time Extension Request for Conservation District Use Permit (CDUP) OA-3068 for Kawainui Marsh Improvement of Tax Map Key: (1) 4-2-013; 005 & 022 and (1) 4-2-016 in the Subzone: Protective. See Exhibit A Photo of the Kawainui-Marsh State Wildlife Sanctuary DLNR - DOFAW 804-25-2012.

\*The Honolulu Magazine or as it was once called 'Paradise of the Pacific' is the Oldest Magazine West of the Mississippi!

**[Honolulu \(magazine\) - Wikipedia, the free encyclopedia](#)**



[https://en.wikipedia.org/wiki/Honolulu\\_\(magazine\)](https://en.wikipedia.org/wiki/Honolulu_(magazine))

Wikipedia

Jump to **History** - *History*. In 1888, when Hawaii was still a monarchy, King Kalākaua commissioned a *magazine* under royal charter to be Hawaii's ambassador to the world. That *magazine* was Paradise of the Pacific. ... In 1984, *Honolulu* established its Hale Aina Awards as the Islands' first local restaurant awards.

## **The Cultural Ghost Stories Behind The Most Haunted Places in Hawai'i**

[www.honolulumagazine.com/Honolulu...The...Haunted.../index.php?...](http://www.honolulumagazine.com/Honolulu...The...Haunted.../index.php?...)

Honolulu

Oct 7, 2015 - Many say that Hawai'i is full of *ghosts* and otherworldly beings—not just from ... And once, they took their equipment to *Ulupō Heiau*, a massive ...

"...

The calls are as varied as the people making them, with the lines between ethnic folklore blurring. They've visited military families with spirits lurking in their homes and gotten calls about a female apparition—some say it's the spirit of Princess Ka'iulani—wandering around Honolulu Hale. (Security guards have said they hear women laughing and singing and children playing in the building.)

And once, they took their equipment to *Ulupō Heiau*, a massive stone temple located on the eastern edge of Kawai Nui Marsh behind the YMCA in Kailua. Legend says this ancient heiau, which may have been used as a *luakini* (place for human or animal sacrifice) was built by *menehune* hundreds of years ago before being abandoned in the 1780s after O'ahu was conquered.

"I remember hearing people talking. It sounded like little kids playing in the bushes," Del Aragon says, adding the group heard a splash, as if something had jumped into the wet marsh. "When we listened to the audio after, you could definitely hear this slithering breathing. You could hear a voice say, 'Stay back.'"

This heiau has long been a popular stop on ghost tours, partly because of its accessibility but mostly because of the dozens of stories about fireballs and night marchers encountered here. One story, published in Rick Carroll's *Hawai'i's Best Spooky Tales* (Bess Press, 1997), centered on a woman who had recently moved to Hawai'i from the Mainland and went on a ghost tour to the heiau. Skeptical of the sacredness of this site, she proceeded to stand in the middle of the stone platform, even kicking around some rocks. "What's the big deal?" she asked the rest of the group, her horrified co-workers at an O'ahu hotel. "It's a big pile of rocks. Get over it."

The next day, according to the story, the woman's legs were red and swollen so badly she couldn't walk. Her doctor told her the blood in her legs wasn't circulating and he wasn't sure why. But a Hawaiian kahu had a different explanation, telling her the redness and swelling was coming from the spirits that were clinging onto her legs so tightly they were cutting off blood circulation. After returning to the heiau with an offering and apology, her legs returned to normal and she never made the mistake of showing disrespect again.

It's the same theme you'll see in stories told by ghost-tour guides or storytellers: "It's about respect for the dead or the dead won't respect you," Ogawa says. "And that's always been there. It's just stronger in our local culture. You don't mess with the spirits."

Please complete the EISPN to the FEIS including future EIS separated for implementation to meet reconsidered for implementation in the future as mentioned in 2.2 Project Description - Page 2-13 and possible separated EIS for implementation to meet the Major Proposals and Alternatives of the Conceptual Site Plans for this DLNR/ Kawainui-Hamakua Master Plan Project in a timely fashion. See also Figure 2.8 Chapter 2: Conceptual Plan; 2.2.4.4 Subarea E - Wai'auia to Ulupo Heiau State Historical Park on Page 2-35; and Chapter 2: 2.2.4 Conceptual Site Plans Page 2-22.

Additional information:

#### O'ahu Ahupua'a Boundary Marker Signage Project

The primary purpose of the project is to promote community stewardship by using traditional Hawaiian concepts for natural and cultural resource management. The concept we have engaged is the Hawaiian ahupua`a system, which is generally defined as land (and sea) areas that extend from the mountains to near-shore waters. Most of the boundaries are marked by streams or ridge lines.

Around the 15th or 16th centuries, during the time of Chief Mailekukahi, the ahupua`a concept was generally credited with the large population that thrived on the island of O`ahu - a population which some believe rivaled the numbers of people living here today. The concept ensures that all inhabitants of the ahupua`a have adequate resources to survive, to carry out their trade or work, and to contribute to the greater protection and welfare of the moku (district) or mokupuni (island).

We have borrowed that concept primarily to engage our communities with the sense of kuleana, or responsibility, to be good stewards of our own neighborhoods. If we divide the island up by ahupua`a, we can connect those who live and work in that area to care for their own neighborhoods.

Note: The Ko'olaupoko Hawaiian Civic Club had a grant that with the help of the Federal, State and County installed Ahupua'a Boundary Marker Signs on the highways from Hawaii Kai to Kualoa in the Ko'olaupoko Moku (district) in 2011. Waianae Moku already had all their signs recently installed. The O'ahu Council of Hawaiian Civic Clubs has a grant that expanded the project to be island-wide on O'ahu. We are inviting neighborhood board chairs and/or representatives to help us decide proper placement of the marker signage and support. We have a GIS mapper from Kamehameha Schools and a State DOT employee helping us, too. (Project completed)

If you have any questions, please contact me via email.

Mahalo.- Thank you and Malama ko aloha - Keep your love,

Paulette A.Tam, a Concerned Kane'ohe Resident

[tampaulette@gmail.com](mailto:tampaulette@gmail.com)

FYI confidential thoughts and information intended only for the recipient and for educational purposes.

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**Ronald Sato**

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**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 12:08 AM  
**To:** Paulette Tam  
**Subject:** Fwd: EISPN  
**Attachments:** Summary\_Update\_Memo 8-24-16(1).pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

## **Re: EISPN: Environmental Impact Statement Preparation Notice - For Title Project DLNR/ Kawainui-Hamuakua Master Plan**

FYI confidential thoughts and information intended only for the recipient and for educational purposes.

----- Forwarded message -----

**From:** **Paulette Tam** <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
**Date:** Tue, Oct 18, 2016 at 9:51 PM  
**Subject:** Fwd: EISPN  
**To:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

R

e: Summary of Public Comments PDF

Summary Update Memo 8-24-16 (1) PDF Attachment below. Total 18 pages in color and black ink. Printed.

EISPN : Total 139 Pages in color and black ink. Printed.

----- Forwarded message -----

**From:** **HHF Planners** <[kawainui@hhf.com](mailto:kawainui@hhf.com)>  
**Date:** Fri, Sep 23, 2016 at 2:58 PM  
**Subject:** EISPN  
**To:** [tampaulette@gmail.com](mailto:tampaulette@gmail.com)



Aloha All,  
An Environmental Impact Statement Preparation Notice (EISPN) has been published for public review by the State Office of Environmental Quality Control (OEQC) under their current September 23rd edition of *The Environmental Notice*. You may visit OEQC's website to obtain

more information on this EISPN, and download an electronic copy of this document. See link to OEQC's current edition of *The Environmental Notice*.

[http://oeqc.doh.hawaii.gov/Shared%20Documents/Environmental\\_Notice/Archives/2010s/2016-09-23.pdf](http://oeqc.doh.hawaii.gov/Shared%20Documents/Environmental_Notice/Archives/2010s/2016-09-23.pdf)

There is a 30-day public review period of the EISPN which ends on Monday, October 24th. Information is also provided on the project website located at the following link.

<http://www.hhf.com/kawainui/>

Thank you for your participation on this project.  
HHF Planners



This message was sent to [tampaulette@gmail.com](mailto:tampaulette@gmail.com) from:

HHF Planners | [kawainui@hhf.com](mailto:kawainui@hhf.com) | HHF Planners | 733 Bishop Street, Suite 2590 | Honolulu, HI 96813

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## Kawainui-Hāmākua Complex Master Plan Project

### Summary of Public Comments on Draft Master Plan (May 2014)

August 19, 2016

The planning process for the Kawainui-Hāmākua Complex Master Plan Project was initiated and is guided by the State of Hawai'i (State), Department of Land and Natural Resources (DLNR), Division of Forestry and Wildlife (DOFAW) in partnership with the Division of State Parks (DSP). The *Draft Kawainui-Hāmākua Complex Master Plan* (May 2014) report was prepared and published in May 2014 to serve as a planning guide for the future of nearly 1,000 acres of State-owned land which includes the Kawainui and Hāmākua State Wildlife Sanctuaries, Pu'uoehu hillside, Ulupō Heiau State Historical Park, and Kawainui State Park Reserve. Kawainui is the largest remaining freshwater wetland in the State of Hawai'i, and both Kawainui and Hāmākua are significant natural and cultural resources.

The draft master plan was developed during a two-year long planning process that included extensive consultations and discussions with multiple governmental and community stakeholders, along with the public. This process included three public informational meetings, participation in World Wetlands Day events, and participation in two additional community meetings initiated by others. Several meetings were held with Ho'olaulima throughout this process. Ho'olaulima is a network of 12 conservation, native Hawaiian, educational, and community organizations that came together in 2004 to assist with planning the future of the Kawainui-Hāmākua Marsh Complex.

This document provides an update of the master plan process by: 1) summarizing the comments received on the draft master plan; 2) discussing modifications since made to the draft master plan concepts; and 3) identifying the next steps in the process.

#### Summary of Draft Master Plan Comments

After publication of the *Draft Kawainui-Hāmākua Complex Master Plan*, a 30-day public comment period was initiated. Over 200 written comments were received by either mail or email during this period. Copies of all comments received can be found on the project web site:

<http://www.hhf.com/kawainui/>

Appendix A is a matrix summary of the comments received during the draft master plan review period. The comments reflect different, often divergent opinions on the planning issues and plan proposals. The summary matrix is not intended to be a comprehensive itemization of the 200+ written comments received, nor does it reflect how many people hold a particular position. Instead, the summary presents a sample of the feedback received, illustrating the diversity of opinion among stakeholders. The summary is organized by broad themes and sub-topics. A consolidated response pertaining to each theme or sub-topic is included.

#### Master Plan Modifications

Based upon comments received on the Draft Master Plan, and after evaluation by DOFAW and DSP, several modifications have been made to the plan concepts. Major modifications are illustrated in Figure 1, and a list generally summarizing these revisions is provided below.

1. General Revisions to Plans
  - The section of the pedestrian path planned from the City's Model Airplane Park northeast up to the Kawainui State Park Reserve, Kalāheo Section park site (former Gateway Park site) is designated for implementation as a future phase, yet to be determined.
  - Implementation of that section of the pedestrian path would likely not occur for many years because other remaining sections of the planned pedestrian path would be implemented first.
  - If this pedestrian path section is desired for implementation sometime in the future, a separate environmental review would be conducted for that.
2. Kahanāiki to Nā Pōhaku-Kapa'a Subarea
  - Eliminated maintenance access road/path across wetland that was intended to support DOFAW vehicular access between the Kahanāiki area and their management and research station.
  - DOFAW will continue to transport personnel and equipment to areas around Kawainui using existing roadways.
  - Eliminated boat launch ramp at vegetation processing area.
  - Boat ramp initially planned to support the transportation of removed vegetation for processing as part of wetland restoration activities. However, this transportation method for materials is not necessary.
  - Support facilities planned at vegetation processing site will be consolidated closer to entrance.
  - Incorporated the kauhale concept into the Educational Center complex with the addition of six traditional pole and thatch Hawaiian structures, Hawaiian games area, and gardens of native and Polynesian-introduced plants. This provides an interpretive element for park visitors to learn about pre-contact settlement and subsistence along the edges of Kawainui. This also expands upon the existing cultural use of the site and makes it integral to educational goals serving as outdoor classrooms.
3. Kapa'a to Kalāheo Subarea
  - Eliminated pedestrian bridge across Kawainui Canal from Kawainui State Park Reserve, Kalāheo Section park site to levee due to public safety concerns.



4. Wai'ālua to Mokolana Subarea
  - Relocated the location of a proposed hālau at the Ulupō Heiau State Historical Park site further northwest and away from an existing residence.
  - Eliminated a proposed rest room along with parking lot and access road improvements (from Kailua Road) currently serving Ulupō Heiau State Historical Park site.
    - This area initially planned for improvements is privately-owned by the Kailua YMCA. If DSP acquires some property in this area in the future, separate Plans would be developed along with an environmental review conducted by DSP.
  - Eliminated two observational decks along a section of the pedestrian path extending from the Ulupō Heiau State Historical Park southwest to DOFAW's management and research station.
5. Hāmākua and Pu'ūoehu Subarea
  - Designated pedestrian trails at Pu'ūoehu strictly for DOFAW-authorized management and program activities only, and not for general public use.
  - Eliminated trailhead along Pu'ūoehu that was connecting to Kailua Road.

#### **Next Steps**

The public review period of the master planning process has concluded. A separate environmental review process is now underway for this project. Work on the master plan will resume later with preparation of a final master plan after the environmental review process is completed.

The environmental review process will involve the preparation of an Environmental Impact Statement (EIS) in accordance with Hawai'i's environmental impact statement law (Chapter 343, HRS) and environmental impact statement rules (Chapter 11-200, HAR). The environmental review process will include the following steps:

1. Issuance of EIS Preparation Notice (EISPN)
  - The publication of the notice of availability of the EISPN (late September 2016) initiates a public comment period during which the public can review the project, request to become a consulted party, and provide input on issues that should be studied in the Draft EIS to be prepared.
  - Notice of the EISPN will be published in the Office of Environmental Quality Control's (OEQC) bimonthly publication, *The Environmental Notice*.
  - EISPN public review period: 30 days
2. Draft EIS
  - Draft EIS will discuss probable impacts from project implementation on multiple areas including natural resources, infrastructure, and public facilities.
  - A public review and comment period will occur after Draft EIS is issued. Notice of the Draft EIS will be published in the OEQC's bimonthly publication, *The Environmental Notice*.
  - Public review period: 45 days.

3. Final EIS
  - Final EIS prepared with updated information addressing public comments on the Draft EIS and necessary modifications to proposed improvements.
  - Final EIS is accepted by the Accepting Authority (DLNR), and is published in OEQC's bimonthly publication, *The Environmental Notice*.
  - Publication of the Final EIS completes the environmental review process.

A public informational meeting is planned to be held during the 45-day review period of the Draft EIS. Consultations will also continue to be held with stakeholders and community organizations throughout this environmental review process.

After the environmental review process is completed, a final master plan report will be prepared and released. Project modifications occurring during the EIS process would be incorporated into this final master plan report. Land use entitlements will also be applied for after the environmental review process, allowing any permit conditions to be factored into the implementation process.

We look forward to working with you on the environmental review process for the Kawaiūi-Hāmākua Complex Master Plan project.

## APPENDIX A – SUMMARY OF COMMENTS

| Summary of Comments                                                                                                                         | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>General Comments</b>                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Comments of Support</b>                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| This plan should have been done a long time ago.                                                                                            | Comments of support are acknowledged.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Plan is reasonable and responsible.                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Park space created will promote healthy lifestyles and more outdoor activities.                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Plan will do much to bring honor back to Kawainui.                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Kawainui will become a great place for families.                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Plan is defined enough to give shape to what we want for Kawainui for future generations.                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Concerns with Type/Extent of Development</b>                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Development is too large and extensive, and will change Kailua's small town character.                                                      | Of the total 986 acres in the project site, less than about 80 acres are intended for program areas (e.g. Nā Pōhaku, Ulupō Heiau, cultural centers) with the remaining 906 acres consisting of wetland (about 680 acres) and open space upland area. Except for a few sections of boardwalk supporting pedestrian trails, there will be no construction of facilities in the wetlands. All proposed structures are related to supporting stewardship, cultural practices, outdoor recreation, and educational activities, and are situated within upland areas outside the wetland.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Development within marsh will take away unspoiled lands and will lead to environmental damage.                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| True restoration of Kawainui would be to clean, maintain, and protect from intrusion rather than develop ways for more people to visit.     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Plan's conservation elements and small scale development are fine, but facilities and trails development will lead to environmental damage. | <p>Kawainui is not a pristine environment. The wetland is overgrown with invasive vegetation reducing open water needed for waterbirds habitat and floodwater retardation. Upland areas are similarly overgrown with invasive vegetation and subject to erosion that are slowly transforming this resource into a forest.</p> <p>We believe the proposed uses are appropriate for this project area. The common thread among all proposed improvements is to restore the area due to overgrowth of alien plant species; enhance waterbird habitat, support native Hawaiian cultural resources and practices, provide opportunities for passive outdoor recreation and educational programs, and support this resource's sustenance for future generations. This goal is in alignment with Ramsar Convention policies. Restoration of this resource needs to be integrated with educational programs, increased stewardship opportunities with partners, and allow the public to view and enjoy the resource with managed public access. Facility and other improvements support these objectives and DOFAW and DSP's agency missions.</p> |

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## APPENDIX A – SUMMARY OF COMMENTS

| Summary of Comments                                                                                                                                                                                                                                                                     | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                         | <p>The floor area of all structures shown on the master plan, is approximately 52,000 square feet, and occur over less than about 15 acres of land. Facilities are supportive of native Hawaiian cultural practices, passive outdoor recreation, increasing stewardship partnerships, and DOFAW management and maintenance activities. These facilities are scattered throughout an approximately 240-acre upland area surrounding Kawainui's wetland. Given their purpose and objectives, we do not believe that this constitutes extensive development.</p> <p>The structures would not have a negative impact on the area's natural resources or character. In addition, improvements should not negatively impact the character of the Kailua Town that is influenced more by the popular beaches along the coastline and commercialization of the town center. The Environmental Impact Statement (EIS) being prepared for this master plan project will address impacts in greater detail.</p>                                       |
| <p>The Draft Master Plan does not reflect an update of the 1994 Kawai Nui Marsh Master Plan (e.g. sections from 1994 plan not included).</p> <p>Master plan concepts to be implemented by DLNR are not clear. Additional historical details should also be included in master plan.</p> | <p>The master plan does not need to include the same sections covered in the 1994 report. Much of the information from 1994 report will be covered in the upcoming EIS being prepared, since no environmental documentation was prepared for that 1994 report. However, the current master plan does update concepts and improvements from the 1994 plan that are now being considered for Kawainui based upon current conditions, DLNR jurisdiction of areas, and input from the public. Several of the current concepts being considered are similar to the 1994 plan, such as a visitor center, waterbird enhancement areas, and public outdoor recreation areas (parks).</p> <p>We believe the concepts and themes discussed are clear. Concepts are general notions or ideas that form the basis for developing more specific implementable elements. However, revisions to this master plan will include providing more details and descriptions of plan concepts, as appropriate, which includes additional historical details.</p> |

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## APPENDIX A – SUMMARY OF COMMENTS

| Summary of Comments                                                                                                                                                                                                                                                                  | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The plan is not consistent with the public trust doctrine of Hawaiʻi State Constitution. Kawainui is a public trust resource with DLNR that needs to take precautionary and preventive actions in the face of uncertainty.                                                           | Master plan concepts comply with the public trust doctrine as improvements are intended to restore Kawainui's wetland and upland areas consistent with managing this public natural resource. The master plan sets the framework for programming and implementing improvements reducing uncertainty in the management and future of this resource. Plans are also intended to promote the utilization of this resource in a sustainable and managed manner by providing public access, educational programs, and stewardship consistent with the conservation and development of resources under the Constitution. It also supports traditional and customary rights of native Hawaiian's for cultural purposes under Article XII of the State Constitution. |
| <b>Specific Master Plan Areas</b>                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Ulupō Heiau State Historical Park</b>                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Support expressed for heiau and cultural landscape restoration, cultural resource management improvements, and parking and rest room facilities to provide community access to trails, viewing areas, and support educational programs.                                              | Proposed improvements for the Ulupō Heiau State Historical Park are intended to promote the preservation of natural and cultural resources in the area. No commercial activity is proposed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| Support expressed for cultural resource management and landscape plan.                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Do not commercialize the area.                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Trails should connect Ulupō Heiau with DOFAW management and research station and Waiʻālua. YMCA access road should not be re-opened and widened for access to Ulupō Heiau. Concern with buses using this access road. Concern with people loitering in area around YMCA access road. | The plan shows a potential connection between the trails around Ulupō Heiau, DOFAW's management and research station and Waiʻālua. A continuous trail between these areas will require boardwalk segments, and trails would be designed and sited to adequately separate pedestrians from residential neighborhoods.                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                                                                                                                                                                                                                                                                                      | An earlier plan to improve the access road from Kailua Road to the YMCA parking lot (serving Ulupō Heiau) is no longer included. DSP will continue to coordinate with the YMCA to address use and activities associated with the access road separately from this project.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Kūkanono Neighborhood</b>                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Need for security and traffic safety measures for traffic in Kūkanono neighborhood. There are existing concerns and problems, e.g., heavy traffic from the YMCA and Faith Baptist Church, cars speeding and failure to obey stop signs.                                              | Existing concerns from activities and guests of the YMCA and Faith Baptist Church (now Daybreak Church) would need to be addressed by those organizations.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Residents do not want property taken again or encroached upon.                                                                                                                                                                                                                       | Traffic impacts on the Kūkanono neighborhood from project improvements will be addressed in the EIS. If necessary, mitigative measures addressing project                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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## APPENDIX A – SUMMARY OF COMMENTS

| Summary of Comments                                                                                                                                                                                                                                                                                      | Response                                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Proposed development will increase traffic, effect neighborhood roads, and don't meet the needs of neighborhood.                                                                                                                                                                                         | effects will be identified. We note that Hawaiian community organizations are committed to addressing potential impacts associated with activities at Ulupō Heiau. The plan does not include any actions to acquire private property from residences for Ulupō Heiau improvements.                                                                                       |
| Kailua native Hawaiian community organizations are committed to minimizing potential negative impacts from improvements on nearby neighborhoods.                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Kawainui State Park Reserve, Kalāheo Section</b>                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                          |
| Kayak and canoe storage and launch areas with restrooms are needed to support programs at Kalāheo High School and Le Jardin Academy.                                                                                                                                                                     | Plans at this site include canoe storage, a launch area, and restrooms. Canoe storage and launch from this site is intended for schools reducing the potential traffic along the canal, but DSP could allow other organizations to launch. Concerns about canoe and vehicular traffic will be addressed in the EIS.                                                      |
| Amount of potential canoe traffic along Kawainui Canal is a concern.                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                          |
| Increased vehicular traffic in area is a concern.                                                                                                                                                                                                                                                        | In response to resident concerns about security, the proposal for a pedestrian bridge has been removed from the plan.                                                                                                                                                                                                                                                    |
| Pedestrian bridge from park site allows access to back yards of residences and presents a security concern.                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                          |
| <b>Waiʻālua Area</b>                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                          |
| Support for burial preserve (reinternment site) at Waiʻālua. Center will allow for proper care and maintenance of reinternment site.                                                                                                                                                                     | Comment acknowledged.                                                                                                                                                                                                                                                                                                                                                    |
| <b>Kapa'a Hawaiian Cultural Complex</b>                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                          |
| Comments on cultural center design:                                                                                                                                                                                                                                                                      | The Hawaiian Cultural and Environmental Complex is planned to be developed using sustainable building guidelines. The plan recognizes the importance of Kawainui to Hawaiian cultural practitioners. The plan identifies areas for cultural activities that will include stewardship opportunities in partnership with DOFAW of the natural resources in the study area. |
| <ul style="list-style-type: none"> <li>Facility should be designed for low environmental impact;</li> <li>Use alternative energy with the goal of LEED-certification;</li> <li>Architecture should support native Hawaiian cultural character; and</li> <li>Blend into surrounding landscape.</li> </ul> | The Hawaiian Cultural and Environmental Center site is envisioned to have a specific cultural focus, and would be operated by a nonprofit entity under a long-term lease with DOFAW. This use may have more restricted access based on lease conditions.                                                                                                                 |
| It's important that cultural and educational centers are located at Kawainui (i.e., not in Kailua town as some have recommended) in recognition of Kawainui's cultural significance.                                                                                                                     | The EIS will address City-owned property associated with Kapa'a Quarry Road, and pertinent information incorporated in the final master plan. The City has indicated that the project area will have access to the municipal sewer system. Capacity reservation is contingent on permitting and approval by the City.                                                    |
| City-owned property situated between the Hawaiian Cultural Complex and the road is not addressed in the plan.                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                          |
| Hawaiian cultural complex will not have access to the City sewer system.                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                          |

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**APPENDIX A – SUMMARY OF COMMENTS**

| Summary of Comments                                                                                                                                                                                           | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Kawainui State Park Reserve, Nā Pōhaku Section</b>                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Safe parking for volunteers working at Nā Pōhaku is important. Lack of parking creates dangerous conditions by forcing parking in unmarked spaces on side of road.                                            | Parking will be provided on site to accommodate future visitors to the proposed educational center along with visitors to Nā Pōhaku, volunteers, and those using the pedestrian path for outdoor recreation. This addresses concerns with current parking along the roadside. There will be gates with posted park hours, and parking areas will be chained to regulate visitation during closed hours.                                                                                                                                                                                                                                                                                                                                       |
| Concerns with tour bus use can be addressed by chaining parking areas.                                                                                                                                        | This area is planned to include the education center, and would be open to the public for educational and passive outdoor recreational activities (pedestrian paths). Organizations have worked to re-establish a lowland native forest at Nā Pōhaku, and the master plan supports the continuation of these activities and stewardship of the area. Facilities planned at this site are intended to support volunteer restoration activities by providing storage sheds and shelters.                                                                                                                                                                                                                                                        |
| Organizations intend to continue lowland native forest restoration work at Nā Pōhaku and Kawainui. Facilities (storage sheds, shelters) needed for volunteer restoration activities.                          | Establishing lo'i kalo within designated areas as part of cultural practices will be considered and evaluated by DOFAW in relation to its effects on their wetland restoration and waterbird habitat improvements planned. Planting endemic plants, native fruit trees, etc., would be allowed in upland areas as part of reforestation efforts supporting cultural practices and educational programming. However, such activities conducted as part of agricultural farming and production would not be permitted because that may be considered commercial activity.                                                                                                                                                                       |
| Lo'i kalo should also be established within wetland area in accordance with native Hawaiian customary rights and practices.                                                                                   | DSP is permitting this organization to conduct current cultural lua practices and other activities at this site as part of a 5-year agreement. However, no facility improvements are included.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| In addition to endemic plants, native fruit trees (e.g. breadfruit, mountain apple), dryland kalo and sweet potato should be grown. Create farmer's coop to support educational and environmental activities. | The educational center is still necessary at this site because it serves a different purpose than the Hawaiian Cultural Center. The education center would function as a visitor center open to the public, serve as a focus for viewing and learning about Kawainui, and provide access to pedestrian paths. It would also include additional structures supporting a kauhale concept using traditional pole and thatch Hawaiian structures. These structures would be associated with interpretive elements as part of the education center's operation, and open to the public. Operation of the education center with kauhale area would be by a nonprofit organization. In contrast, the Hawaiian Cultural Center would support cultural |
| Support Ke Kahua O Kūali'i continuation of cultural lua practices and other activities.                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Education center is not necessary on this site if the Hawaiian Cultural Center and the environmental complex are built down the road.                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

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**APPENDIX A – SUMMARY OF COMMENTS**

| Summary of Comments                                                                                                                                                         | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                             | practices, programs and stewardship of the area predominantly among native Hawaiian organizations. The center would be used to participate in DOFAW and DSP educational programs and operated by a nonprofit organization, but not be open to the public.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Education center will significantly modify views from Kailua town.                                                                                                          | We do not agree that proposed actions in this area will significantly modify views from Kailua Town. The plan recommends development of design guidelines to ensure physical improvements are compatible with the natural setting and cultural heritage of the area. Additionally, structures will utilize low-impact development techniques and local and sustainable building materials. The EIS will address potential visual impacts of proposed actions.                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Hāmākua Marsh/ Pu'uoehu</b>                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Sturdy predator-proof fencing needed to protect water birds.                                                                                                                | Protective fencing will be installed by DLNR around wetland areas to provide predator protection for water birds. Property boundary fencing will be provided to improve management of area and access, and security services provided by DOCARE.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Maintenance and security needed because of transient community living adjacent to marsh.                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>DOFAW Research Station</b>                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Support research station improvements to allow DOFAW to continue restoration efforts.                                                                                       | Comment acknowledged.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Kapa'a Vegetation Processing Area</b>                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Support vegetation processing area for wetland restoration and upland reforestation. Needed to support the removal of trees maturing and spreading in the central Kawainui. | Comment acknowledged.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Various Issues</b>                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Public Access</b>                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Pedestrian trails, boardwalks and causeways will bring more people to Kawainui, changing the character of the area                                                          | Restoration activities have greatly improved what for years was a neglected and degraded environment at Kawainui. Hawaiian community groups have restored a lowland native forest at Nā Pōhaku; ranching structures at the former Cash Ranch have been removed; cattle ranching has been replaced by restoration ponds supporting waterbird habitat; and Hawaiian community groups have replaced overgrown, invasive vegetation around Ulupō Heiau with lo'i kalo and native plants. The goal of providing appropriate access within the project area is to continue and expand these types of efforts at Kawainui and Hāmākua. Public access also provides opportunities to experience, learn about, and appreciate the area's natural and cultural resources. We believe that this awareness and appreciation is critical in developing |
| Pedestrian trails will increase number of homeless around the marsh and give undesirable people greater access to residential areas.                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Need to control access to areas and facilities for security reasons.                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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**APPENDIX A – SUMMARY OF COMMENTS**

| Summary of Comments                                                                                                                                                                                                                                                                                                                  | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                      | and sustaining public support for continued stewardship activities.<br><br>Visitors will not be allowed in wetland areas. Access to various sites in upland areas will be controlled by gated entry points, future lease agreements, or available parking. Structures serving the education center and viewing decks are planned to be modest in scale, appropriate for the site, and support passive outdoor recreation, education, and public enjoyment of the resource.<br><br>Modifications have been made to concepts included in the draft master plan in response to concerns about access. The modifications include elimination of the pedestrian bridge over Kawainui Canal between Kalaheo Park and the levee; removal of the access road improvements at Ulupō Heiau from Kailua Road; and designation of trails on Pu'uoeahu for DOFAW program use only. |
| <b>Number of Structures/Intensity of Development</b>                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Restored marshes in other states and countries have successfully included trails, boardwalks, parking lots, and restrooms that are maintained and regulated. These resources are enjoyed by the surrounding communities.                                                                                                             | Master plan concepts are intended to enhance wetland and wildlife habitat and support other agency and community objectives. These include public education, supporting native Hawaiian cultural practices, increasing stewardship opportunities and partnerships, and providing passive outdoor recreational opportunities. At each location, the proposals and concepts were influenced by the unique physical features and land forms, environmental conditions, and land use restrictions. The extent of structures illustrated at each site represents a notional scenario that provides flexibility for future design refinements, while minimizing potential impacts on the environment.                                                                                                                                                                       |
| Activities and facilities comprise small portion of total site acreage and will not be environmentally intrusive.                                                                                                                                                                                                                    | The EIS process will estimate visitors to Kawainui and Hāmākua, and assess the effects on waterbirds and natural environment. Ho'omaluhia Botanical Park will also be evaluated as a reference resource. Public parking areas are already limited, and other improvements would be evaluated to support DOFAW and DSP management of this area. The plan will clarify that hotels or other visitor accommodations are not included as part of project improvements.                                                                                                                                                                                                                                                                                                                                                                                                    |
| Carrying capacity analysis needed to understand number of visitors the marsh can sustain.                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Ho'omaluhia Botanical Park in Kaneohe is an example of an attractive and well-maintained complex that works and is a good public resource. It has trails, pavilions, parking, restrooms, visitor center, classrooms, conference rooms, maintenance facilities, etc. The buildings and parking are not detrimental to the experience. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Multipurpose facilities and parking areas should be used to reduce the number of improvements (e.g., two educational centers could be consolidated into one multipurpose facility. Parking lots across multiple sites could be consolidated into a single lot)                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

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**APPENDIX A – SUMMARY OF COMMENTS**

| Summary of Comments                                                                                                                                                                                                                                                             | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Include physical and operational restrictions to enforce capacity limits (e.g., parking stall that could be offered for school buses but closed to unscheduled buses). Without explicit limitations, increased development can have adverse cultural and environmental impacts. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Number of buildings and parking lots are not appropriate for wildlife sanctuary.                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Plan needs to clarify potential of hotels, motels, or bungalows being included.                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Traffic and Vehicular Access</b>                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Proposal for 11 parking lots will increase traffic and impact Kailua roadways.                                                                                                                                                                                                  | A traffic assessment will be conducted during the EIS process to identify potential traffic impacts resulting from the plan proposals. The traffic study will also include recommendations to mitigate any impacts.                                                                                                                                                                                                                                                                                             |
| How will traffic and increase in visitors be managed, especially near residential neighborhoods such as around Ulupō Heiau?                                                                                                                                                     | The majority of vehicle access points around Kawainui will be controlled; that is, entries and parking areas will only be open for use at certain times. Access at Hāmākua is already controlled in this way. Some proposed parking areas are intended to support stewardship and/or cultural activities, whereas other areas are intended for public access. The EIS will evaluate the possibility of integration of proposed project pedestrian trails with the Ko'olau Greenbelt and Heritage Trails System. |
| Consolidate the five entry points along Kapa 'a Quarry Road into two to increase safety.                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Address how project will be integrated within Ko'olau Greenbelt and Heritage Trails System.                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Safety and Security</b>                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| A security plan that coordinates with DLNR Division of Conservation and Resources Enforcement (DOCARE) and Honolulu Police Department (HPD) should be provided to support maintenance of the area.                                                                              | The EIS will address safety and security issues in the project area and identify measures or guidelines to enforce existing State regulations.                                                                                                                                                                                                                                                                                                                                                                  |
| Final plan should address how security measures will be implemented in each section.                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Long-Term Management and Maintenance</b>                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| Concern that facilities and parking areas will not be maintained and regulations will not be enforced.                                                                                                                                                                          | The Draft Master Plan (p. 4-22) outlines general management and maintenance strategies including property boundary fencing, locked gates at all entries, posted signage with rules and regulations, dedicated security personnel to enforce rules and regulations, and enforcement of administrative rules for State Wildlife Sanctuaries and State Parks.                                                                                                                                                      |
| Reduce the number of facilities and parking lots to reduce management and maintenance effort.                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|                                                                                                                                                                                                                                                                                 | DOFAW will continue to manage this project area using their management and research station at Kawainui. DSP would manage their areas of jurisdiction that includes Na                                                                                                                                                                                                                                                                                                                                          |

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## APPENDIX A – SUMMARY OF COMMENTS

| Summary of Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p>Pōhaku, Ulupō Heiau State Historical Park, and the park site at Kalāheo. State lessees may be required to manage and maintain their facilities in accordance with established guidelines for maintenance and upkeep.</p> <p>The number of structures illustrated in the plan are part of DOFAW’s management and research center, educational program areas, support cultural activities and practices, and passive outdoor recreational activities. The actual number of structures built depends on funding availability and may be less than shown on the plan.</p>                                                                                  |
| <p>Establish a single set of administrative rules governing the entire project area to facilitate management and enforcement, rather than having multiple sections with different rules.</p> <p>Don’t privatize public land. Limiting public access to specific times and conditions may be justified to protect the resource, but public lands should not be reserved for exclusive use by any group.</p> <p>Create administrative entity to coordinate with DLNR and nonprofit organizations to administer educational programs, restoration activities, and manage cultural and natural resources.</p> <p>Create a community advisory board attached to DLNR to involve community in implementation and decision-making. Board should have stakeholders from different groups.</p> | <p>Creation of an administrative entity or new administrative rules will be at the discretion of DLNR. There is a long-standing stakeholder coalition, Ho’olaulima Iā Kawaiūi (Ho’olaulima), which has served as an advisory committee on Kawaiūi issues.</p> <p>Ho’olaulima is an appropriate entity to work with in establishing a future community advisory board. State lands are not being privatized, and DLNR can issue leases or other permits providing more exclusive use of areas. However, all nonprofit organizations obtaining such rights would include provisions to support educational programs and stewardship partners with DLNR.</p> |
| <b>Cultural Significance and Use</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p>A permanent Hawaiian presence in Kawaiūi-Hāmākua marsh is needed and important for resource preservation.</p> <p>Kawaiūi can be a place for kupuna to share knowledge of culture, skills, crafts, and traditions. Loss of cultural knowledge is grave concern.</p> <p>Cultural center will serve future generations.</p> <p>‘Ahahui Mālama I Ka Lōkahi and other native Hawaiian organizations will assist DLNR with restoration and management of project area.</p> <p>Restore Kawaiūi as a functioning fishpond (loko i‘a).</p> <p>Master Plan provides the cultural balance Kailua desperately needs.</p>                                                                                                                                                                       | <p>A goal of the plan is to re-establish a permanent native Hawaiian cultural presence in the project area, and to foster partnerships for long-term management and stewardship of the area’s natural resources.</p> <p>Fishpond restoration is not part of the master plan concepts because wetland restoration and waterbird habitat enhancement are the priority. However, it could be something considered for some integration within wetland restoration improvement areas by DOFAW in the future.</p>                                                                                                                                              |

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## APPENDIX A – SUMMARY OF COMMENTS

| Summary of Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Funding</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p>Nonprofit organizations should work together to pursue grants for restoration efforts.</p> <p>Harold K.L. Castle Foundation has made several grants to support restoration, education, etc. and will continue to support DLNR and nonprofit organizations with future grants.</p> <p>More information is need on the funding needed to manage the area.</p> <p>The State doesn’t have money to build what is planned.</p>                                                                                                                                                                                                                                                                                                                                                                                                            | <p>The master plan represents a long-term vision for the complex, and improvements will be implemented over time subject to funding by the Legislature. A variety of funding sources and partnerships—between government, nonprofit, business community, and community organizations are required. Cooperation between community stakeholders is critical to the successful implementation of the plan.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Tourism and Commercialization</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p>Development will bring more tourists and visitors to Kawaiūi and Kailua town, which is unwanted.</p> <p>Will the improvements be open for commercial activities and tours?</p> <p>Commercial tourist traffic should not exceed 100 visitors/day for the entire Kawaiūi and Hāmākua marsh.</p> <p>Address how DLNR will enforce regulations limiting commercial activity in sanctuaries and state parks.</p> <p>Plan should specify State and DLNR policy goals for each facility.</p> <p>Plan needs to specify authorized uses of improvements in a manner that clearly limits potential commercial and tourism activities. Plan as written is too broad.</p> <p>The plan does not promote commercial activities or tourism. Concern about commercial/tourism uses are not warranted based on the information presented in plan.</p> | <p>Certain project improvements would attract some visitors to Kawaiūi to view the resource, visit the education center, or use paths for outdoor recreation since this is a resource of importance to the State. However, this attraction is not expected to have a significant effect on Kailua Town, and the EIS process will estimate visitors to Kawaiūi and assess the impacts.</p> <p>Plan improvements do not include commercial activity; however, limited commercial use at Kawaiūi is currently allowed at the discretion of DOFAW under their administrative rules. DOFAW rules limit this to 100 visitors per day. Special use permits from DSP are required for any group over 25 people.</p> <p>DOFAW and DSP will manage and regulate visitors in accordance with their administrative rules in cooperation with DOCARE, and additional management practices will be evaluated during the EIS process. Community concerns about the growth of tourism in Kailua are acknowledged. But this visitor growth has occurred independent of this project, and are likely more associated with the popular beaches and commercial development in Kailua Town.</p> |
| <b>Archaeological and Cultural Sites</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p>Archaeological sites and burials should be protected and cared for by native Hawaiian descendants.</p> <p>More archaeological studies/inventory of known sites are needed before area is developed.</p> <p>Increased access will lead to disturbance and damage of undiscovered artifacts and historic sites.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p>A reinterment site is planned as part of master plan concepts at Wai‘aia. DOFAW and DSP will continue to coordinate with and consult with native Hawaiian organizations and individuals regarding the protection and care for archaeological sites. Site-specific archaeological surveys will be conducted as appropriate and prior to construction of buildings and structures.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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## APPENDIX A – SUMMARY OF COMMENTS

| Summary of Comments                                                                                                                                                                                      | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
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| Need to address site selection and design guidelines for new development and treatment of historic properties.                                                                                           | Public access will be limited to designated areas (e.g. education center, Kalāheo park site) and trails and boardwalks. Environmental conditions in these areas will be thoroughly evaluated prior to construction of trails and boardwalks. Designated trails provide opportunities to enjoy the resource in a managed way, and discourage indiscriminate access into areas that could be environmentally or culturally sensitive.                                                                                                                                                                                                                       |
| <b>Endangered Species and Habitats</b>                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Identify sensitive areas that should be fenced and the type of fencing that should be used in the predator control system.                                                                               | The May 2014 draft plan did indicate locations of protective fencing and boundary fencing. Final fence locations and design type will be determined by DOFAW.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Provide suggestions on how ecosystem of Kawainui will be managed to ensure continued diversity for endangered waterbirds. The plan should discuss how disturbance to endangered birds will be prevented. | The U.S. Fish and Wildlife Service's <i>Recovery Plan for Hawaiian Waterbirds</i> (2011) is a guide to recovery actions. Its recommendations include expansion of open water areas, controlling invasive vegetation, reducing or eliminating predator populations, and managing water levels. Master plan improvements are specifically intended to accomplish these objectives.                                                                                                                                                                                                                                                                          |
| Pedestrian trails will not adversely impact endangered waterbirds. For example, waterbirds do not seem to be adversely impacted by public interaction at Hāmākua Marsh.                                  | Removal of invasive vegetation, including the floating peat mat, will also aid in the migration and survival of indigenous and endemic species.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Plan should discuss whether closure or restricted public use rights for State Wildlife Sanctuaries will be used by DLNR to protect nesting birds and cultural resources in project area.                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Plan should discuss strategies to aid migration of indigenous and endemic fish and crustaceans from ocean to mountain streams.                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Plan should prioritize whole-scale removal of invasive vegetation to increase size of waterbird habitat and food availability.                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Water Quality and Environment</b>                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Plan alters ability of Kawainui to thrive and sustain itself                                                                                                                                             | We do not agree that the plan will alter the ability of Kawainui to thrive and sustain itself. No development is proposed within the wetland, and it is unlikely that the structures proposed in the adjacent uplands will substantially increase pollution from vehicle or stormwater runoff. Approximately 60 acres of urbanized lands currently exists along the Kūkanono hillside next to Kawainui. These urban uses do not appear to have a detrimental impact on the ability of the wetlands to thrive and sustain itself. Rather, threats to the wetland's health have historically been due to neglect and the overgrowth of invasive vegetation. |
| <ul style="list-style-type: none"> <li>Pollution from cars and buses (oil, hydrocarbons) will impact ground water resources.</li> <li>Storm water runoff and sediment transport into wetland.</li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Address impact of industrial uses on Kapa'a Stream and include plan to mitigate pollution in water before it enters the marsh.                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Address mitigation of heavy metal pollution leaching from the Kapa'a landfill toward marsh.                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |

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## APPENDIX A – SUMMARY OF COMMENTS

| Summary of Comments                                                                                                                                                        | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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|                                                                                                                                                                            | Pollution from the watershed area is an ongoing concern. Kapa'a Stream, Kahanai Stream, Maunawili Stream, and Kawainui Canal are important sources of water for Kawainui. Industrial uses within the watersheds impact the quality of water entering the project area. It is beyond the scope of this project to mitigate non-point source pollution from the watershed outside the project area. That said, a healthy, well-functioning wetland can protect water quality by trapping sediments and retaining excess nutrients and pollutants. The proposed management actions, such as removing invasive vegetation, are intended to enhance these critical wetland functions. Proposals that support education and public access ensure there is widespread awareness and ongoing support to continue these efforts. |
| <b>Public Participation in Planning Process</b>                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Previous master plan did not provide opportunity for Hawaiian community participation. Perspective of native Hawaiian community is now reflected in the plan for Kawainui. | The planning process for the Kawainui-Hāmākua Complex master plan was designed to provide all stakeholders in the project area equal opportunity to participate in the plan's development. The master plan process included three public meetings, participation in two additional public meetings sponsored by others, and numerous consultation meetings and presentations to stakeholder groups including Ho'olaulima iā Kawainui. The master plan has been discussed at several Kailua Neighborhood Board meetings. Materials from DLNR-initiated public meetings have been posted on the project web site for those who could not attend. Members of the public were able to mail or email comments resulting from these public meetings. All comments received were considered.                                   |
| Planning process was open to the community. Meeting notifications were available in the newspaper.                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Plan opponents do not understand cultural importance of Kawainui and the need for a Hawaiian presence and cultural practices.                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Plan opponents place undue focus on traffic, tourist presence, and homeless issues the project may generate.                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Master Plan does not mention community opposition.                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Common concerns and objections raised by community members have not been responded to nor addressed in the draft plan.                                                     | The proposed land uses and activities in the draft master plan represent the recommendations that 1) meet the mission of goals of DOFAW and DSP, 2) represent the wise use of land with the focus on long-term sustainability of the natural resources, and 3) provide community benefits by supporting increased public access, cultural, environmental, and passive outdoor recreational uses. The EIS will discuss comments received as part of that environmental review process.                                                                                                                                                                                                                                                                                                                                   |
| Plan disregards negotiations and suggested changes.                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Recommend creation of community advisory board connected to DLNR to embed community in implementation and decision making process.                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Concern that Environmental Impact Statement (EIS) will not consider the entire project and effects on the Kawainui, wildlife and community.                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| More community input and discussion is needed. Reconsider timeline and allow more public input.                                                                            | The draft master plan was released for public review in May 2014. Subsequent to its release, modifications have                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

A-12



**Ronald Sato**

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**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 12:10 AM  
**To:** Paulette Tam  
**Subject:** Fwd: Board Responsibilities  
**Attachments:** 20150425\_145154.jpg; 20150425\_145214.jpg; 20150425\_145223.jpg; 20150425\_145241.jpg

## **Re: EISPN: Environmental Impact Statement Preparation Notice - For Title Project DLNR/ Kawainui-Hamuakua Master Plan - Part One Board Responsibilities.**

FYI confidential thoughts and information intended only for the recipient and for educational purposes.

----- Forwarded message -----

**From:** **Paulette Tam** <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
**Date:** Mon, Oct 3, 2016 at 8:42 PM  
**Subject:** Fwd: Board Responsibilities  
**To:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

----- Forwarded message -----

**From:** "Paulette Tam" <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
**Date:** Apr 25, 2015 3:28 PM  
**Subject:** Board Responsibilities  
**To:** "Paulette Tam" <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
**Cc:**

FYI Confidential information intended only for the recipient and for educational purposes.

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- a. Participation in meetings that direct AML, the Board and other community groups and representatives in the efforts to engage and educate the public about the cultural and natural resources of Kawaiū and Hanalei Marshes.
- b. Collaboration to develop projects that mutually benefit both parties missions and goals.
- c. Collaboration to identify suitable areas for cultural restoration

#### IV. Term, Evaluation and Modification.

- A. *Term.* This instrument is executed as of the last date shown below which shall be the commencement date. This instrument will remain in effect for ten (10) years after which it is renewable at the option of the Parties.
- B. *Evaluation.* This Agreement may be reviewed, evaluated, and updated at any time, but no later than five (5) years from the commencement date. A record of the evaluation will be appended to the agreement.

C. *Modification.* This Agreement may be modified at any time by mutual agreement of the Parties. Modifications shall be in writing executed by the authorized officer representing AML and the Board respectively. For purposes of this modification provision, such authorized officers are AML, and the Board of Land and Natural Resources for all substantive changes and the Chairperson of the Board for non-substantive changes to facilitate processing such changes.

#### V. Termination.

Either party, in writing, may terminate the instrument in whole, or in part, at any time before the date of expiration. Unless otherwise by mutual agreement, 90 days advance notice shall be provided prior to termination.

#### VI. Principal Contacts

The principal contacts for administering this Agreement are:

- A. *'Ahauni Malama / Ka Lokahi*  
P.O. Box 751  
Honolulu, Hawaii 96808
- B. *State of Hawaii / Department of Land and Natural Resources*  
Division of Forestry and Wildlife - Oahu Forestry and Wildlife Manager  
2135 Makiki Heights Drive  
Honolulu, Hawaii 96822

#### I. Board Responsibilities:

The Board agrees to undertake the following responsibilities under this Agreement:

- a. Support the efforts of AML to continue to develop educational and interpretive programs in Kawaiū and Hanalei Marshes, especially with wetland bird habitat restoration.
  - b. Seek consultation and advice from AML in the protection and management of cultural and ecological sites within Kawaiū and Hanalei Marshes.
  - c. Assist in handling interpretive and educational signage and kiosks about the natural and cultural resources of Kawaiū and Hanalei Marshes upon receipt and approval of a proposed design and budget.
  - d. Provide appropriate information and resources, as requested, to assist AML in gathering materials to develop educational and interpretive programs and to support AML and community efforts in creating a visitor center and a Hawaiian cultural and environmental center at Kawaiū Marsh.
  - e. Provide passive recreational opportunities in conjunction with the wildlife sanctuaries, including trails, viewing platforms for bird-watching, and interpretive signs.
- All Board activities and support are as funding permits.

#### II. AML Responsibilities:

AML agrees to undertake the following responsibilities under this Agreement:

- a. Will continue to engage Department of Education district schools, and private schools, i.e. Le Jardin Academy, colleges and interested community groups in the restoration projects and educational programs in Kawaiū and Hanalei Marshes.
- b. Will consult with and seek necessary approvals from the Board on any cultural and ecological restoration projects or programs conducted on lands managed by the Board in Kawaiū and Hanalei Marshes.
- c. Will provide the Board proposed designs and budgets for interpretive and educational signage and kiosks about the natural and cultural resources of Kawaiū and Hanalei Marshes.

#### III. Joint Responsibilities:

The Board and AML agree to undertake the following joint responsibilities under this Agreement:

**YOU ARE INVITED!**  
**FRIDAY, JANUARY 10, 2014, 6:30 PM - 8:30 PM**  
**LE JARDIN ACADEMY, WANG AUDITORIUM, KAILUA**

This is the first in a series of informational and educational presentations regarding the Kaunale (groups of buildings) planned by Kailua's Native Hawaiian Community at Kawaihine Marsh. The Kaunale are included in the updated Kawaihine Master Plan Draft.

Inspired by our ancestors and the architectural style of the traditional hale. Inspired by this place called Kawaihine where our ancestors once flourished. Inspired by a vision that once again we will thrive in Kawaihine as continuing stewards of this 'aina. Inspired by the possibilities, we will discuss our vision and how we intend to step lightly upon this 'aina as our Kaunale are realized. Presentations by:

**C. Lehuakona, Leaks**

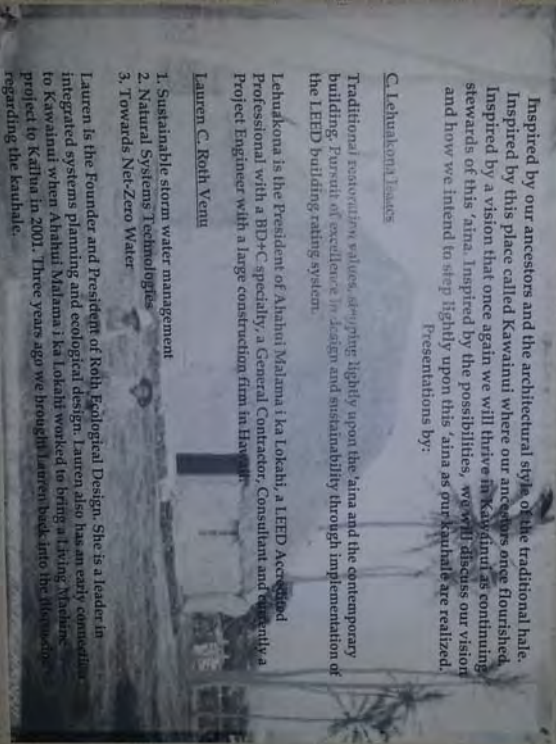
Traditional restoration values, applying lightly upon the 'aina and the contemporary building. Pursuit of excellence in design and sustainability through implementation of the LEED building rating system.

Lehuakona is the President of Ahahoi Malama I ka Loka, a LEED Accredited Professional with a BD+C specialty, a General Contractor, Consultant and currently a Project Engineer with a large construction firm in Hawaii.

**Lauren C. Roth Venn**

1. Sustainable storm water management
2. Natural Systems Technologies
3. Towards Net-Zero Water

Lauren is the Founder and President of Roth Ecological Design. She is a leader in integrated systems planning and ecological design. Lauren also has an early connection to Kawaihine when Ahahoi Malama I ka Loka worked to bring a Living Machine project to Kailua in 2001. Three years ago we brought Lauren back into the discussion regarding the Kaunale.



THE KAWAIHINE KAUNALE PROJECT IS A KAKOU EFFORT BY AHAHOI MALAMA I KA LOKAHI, KAILUA HAWAIIAN CIVIC CLUB AND HALAU MOHOLA IIMA.  
MAP AND DRIVING DIRECTIONS: [HTTP://WWW.LEJARDINACADEMY.ORG/PAGE.PHP?P=365](http://www.lejardinacademy.org/page.php?p=365)  
[NOTED AS "AUDITORIUM" ON THE MAP]  
FOR INFORMATION E-MAIL: [LEHUAKONA.PALMIRA@HAWAII.ORG](mailto:LEHUAKONA.PALMIRA@HAWAII.ORG)

**VII. Miscellaneous Provisions.**

**A. Disclaimers.** Nothing in this Agreement shall be construed as affecting in any way the delegated authority or responsibilities of the Board of Land and Natural Resources. This Agreement shall not supersede any agreements currently in effect between the State and AML.

**B. Additional Parties.** By modification of this Agreement by the Parties, additional governmental, non-profit organizations, and other entities may be made party thereto on such terms and conditions as the Board and AML may agree.

**IN WITNESS WHEREOF,** the parties hereto have executed this Memorandum of Agreement as of the last date written below.

**'AHAHUI MALAMA I KA LOKAHI**

By *Charles K. Kurat*  
Name *Charles K. Kurat*  
Title *President*

Date *2/24/2010*

**STATE OF HAWAII  
BOARD OF LAND AND NATURAL RESOURCES**

By *Laurel H. Thiel*  
for *Laurel H. Thiel*  
Chairperson

Date *02/11/2010*

Approved by the Board of Land and Natural Resources  
at its meeting held on October 23, 2009.

Approved as to Form:

*[Signature]*  
Deputy Attorney General

Date *11/5/09*

**Ronald Sato**

---

**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 12:13 AM  
**To:** Paulette Tam  
**Subject:** Fwd: Current Use Status  
**Attachments:** 20150425\_155946.jpg; 20150425\_160624.jpg; 20150425\_150313.jpg; 20150425\_150331.jpg

## **Re: EISPN: Environmental Impact Statement Preparation Notice - For Title Project DLNR/ Kawainui-Hamuakua Master Plan - Part Two Current Use Status.**

FYI confidential thoughts and information intended only for the recipient and for educational purposes.

----- Forwarded message -----

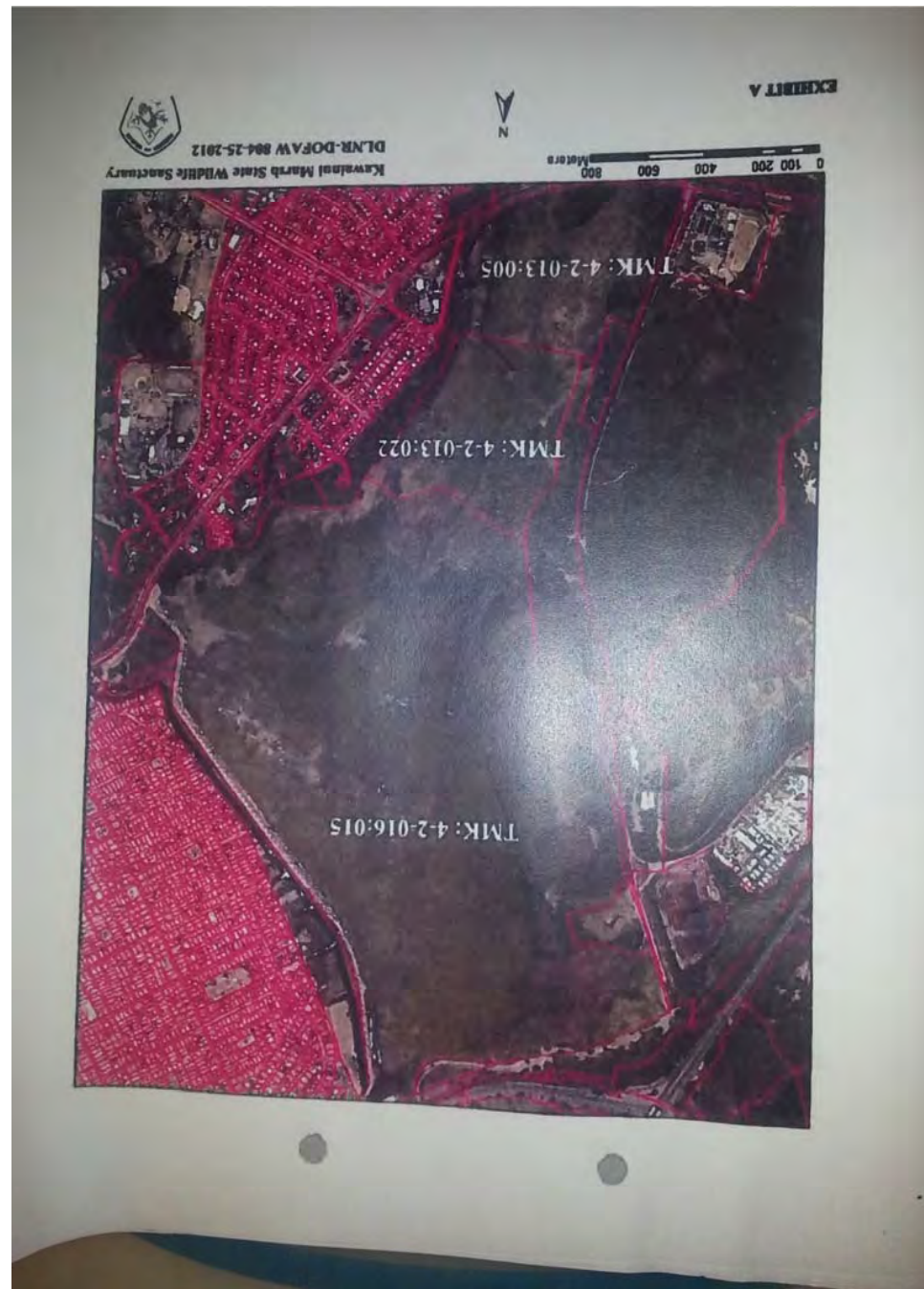
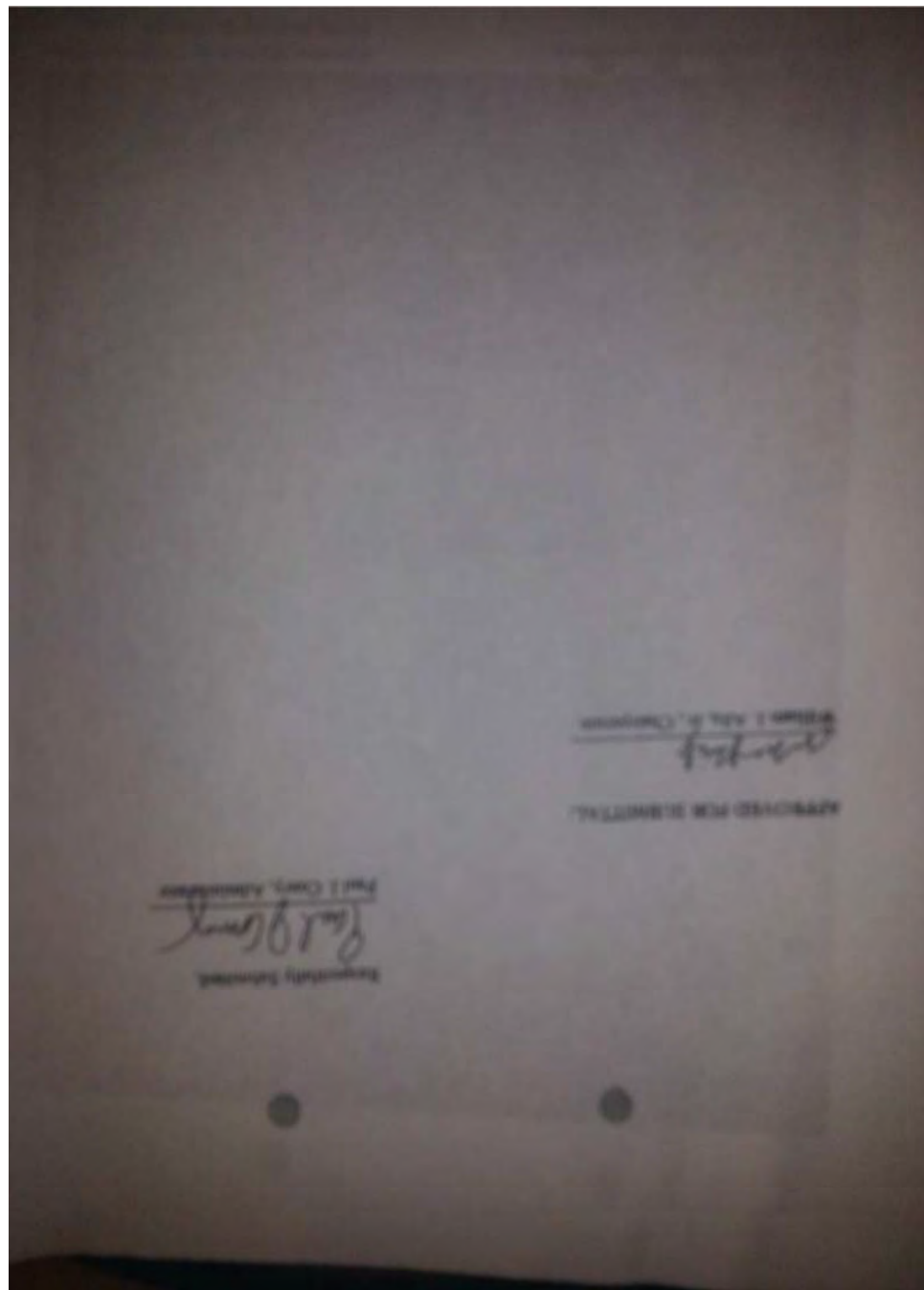
**From:** **Paulette Tam** <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
**Date:** Sat, Apr 25, 2015 at 4:11 PM  
**Subject:** Current Use Status  
**To:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

FYI Confidential information intended only for the recipient and for educational purposes. 1-2-2014 6:53 AM

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#### CURRENT USE STATUS:

Encumbered by Governor's Executive Order No. 4258 setting aside to the Division of Forestry and Wildlife for Habitat Restoration and Marsh Wildlife Sanctuary purposes.

#### CHARACTER OF USE:

Right, privilege and authority to enter, remain to conduct restoration, educational and other cooperative management programs with the Division of Forestry and Wildlife

#### CONSIDERATION:

Gratis. See Remarks Section.

#### CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Sections 11-200-8(a)(1) & (4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "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" (See Exhibit B)

#### DCCA VERIFICATION:

|                                           |              |              |
|-------------------------------------------|--------------|--------------|
| Place of business registration confirmed: | YES <u>X</u> | NO <u>  </u> |
| Registered business name confirmed:       | YES <u>X</u> | NO <u>  </u> |
| Good standing confirmed:                  | YES <u>X</u> | NO <u>  </u> |

#### APPLICANT REQUIREMENTS: Applicant shall be required to:

1. Provide a summary of proposed action actions. Coordinate actions and activities with DOFAW (Exhibit C)
2. Upon issuance of the permit, applicant shall submit a report of activities to DOFAW staff on a monthly basis.

#### REMARKS:

Aha Hui Malama I Ka Lokahi (AML), a community group based in Kailua, Oahu and whose mission is to aid in the restoration and management of the resources in Kawaiinui Marsh, is requesting a permit to enter Kawaiinui Marsh. In 2010, AML entered into a Memorandum of Agreement with the Board of Land and Natural Resources regarding "Cooperative Management Programs at Kawaiinui and Hamakua Marshes". The MOA (see Exhibit D) recognizes AML as a relevant, responsible group, whose mission is applicable to the management of Kawaiinui Marsh. The MOA also establishes AML's

working relationships with other Divisions, community and school groups as key to the long-term goals for Kawaiinui Marsh restoration.

The MOA establishes responsibilities for both the BLNR and AML, in order to conduct necessary actions to manage Kawaiinui Marsh. The proposed Right-of-Entry Permit provides the legal document necessary to allow AML to enter and operate on lands owned and managed by the Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW).

The Division of Forestry and Wildlife, Oahu Branch, has been working with AML to establish programs and protocols as directed by the MOA. AML's proposed actions are consistent with DOFAW management operations, as it provides assistance and increases DOFAW capabilities to restore the natural, biological, and cultural resources in Kawaiinui Marsh. The permit will allow AML to conduct ecological restoration by reducing the presence of invasive species, and increasing the presence of native species. AML will also have the ability to conduct educational and outreach programs to school and community groups. They will also provide opportunities to increase cultural awareness and activities appropriate at Kawaiinui Marsh.

All activities conducted under this permit will be monitored by DOFAW staff to ensure that environmental compliance is followed. Under the terms of the proposed right-of-entry, AML is responsible for consulting with, and following the recommendations of DOFAW staff to ensure environmental compliance protocols are followed. DOFAW staff will meet regularly with AML, Board to gather information and provide technical assistance on project/work proposals.

**RECOMMENDATION:** That the Board:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, the disposition will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a management right-of-entry to Aha Hui Malama I Ka Lokahi, covering the subject area for access purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
- A. The standard terms and conditions of the most current right-of-entry document from, as may be amended from time to time;
- B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

**Ronald Sato**

---

**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 12:14 AM  
**To:** Paulette Tam  
**Subject:** Fwd: Exhibit B  
**Attachments:** 20150425\_161530.jpg; 20150425\_162020.jpg; 20150425\_162047.jpg; 20150425\_162331.jpg

**Re: EISPN: Environmental Impact Statement Preparation Notice -  
For Title Project DLNR/ Kawainui-Hamuakua Master Plan - Part  
Three Exhibit B.**

FYI confidential thoughts and information intended only for the recipient and for educational purposes.

----- Forwarded message -----

**From:** **Paulette Tam** <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
**Date:** Sat, Apr 25, 2015 at 4:27 PM  
**Subject:** Exhibit B  
**To:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

FYI Confidential information intended only for the recipient and for educational purposes. Duplicates.

--

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maps. If native birds begin utilizing the area then work will be conducted in a manner that will minimize disturbance of the birds. No work will be conducted in the marsh habitat near nesting birds.

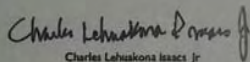
Cleared areas within the marsh in the highlighted areas near Ulupō Heiau will be converted into lo'i kalo. The lo'i kalo will be used for education and subsistence. Harvested kalo will not be sold. The lo'i will be constructed from materials dredged from the marsh itself with water supplied from the springs located at Ulupō Heiau which pass through the lo'i kalo and into the marsh.

We have attached maps of the Kawaiū Marsh State Wildlife Sanctuary that we intend to work in.

For your information, AML currently has executed Curator Agreements with the DLNR/State Parks for the following locations at Kawaiū: 1 - Nā Pōhaku o Haimahine and, 2 - Ulupō Heiau.

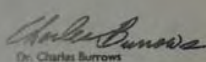
Mahalo for your consideration

Sincerely yours,



Charles Lehuakona Isaacs Jr.

Co-President AML BOD



Dr. Charles Burrows

Co-President AML BOD

Enclosures: Maps of proposed AML work areas within Kawaiū State Wildlife Sanctuary

## EXHIBIT B

Date

William J. Allen, Jr., Chairman

It is recommended that the Board declare that this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

Recommendation:

Exemption from Agency Review: Not applicable

Consistent with:

Not applicable

request be exempted from an environmental assessment. Therefore it is recommended that the subject request be exempted from an environmental assessment.

Staff will consult and review any projects undertaken under this right-of-entry. Therefore it is recommended that the subject request be exempted from an environmental assessment.

Class No. 1, but states "Operations, repair or maintenance of existing structures, facilities, equipment, or topographical features, preparation of an environmental assessment pursuant to Exemption dated December 4, 1991 the subject request is exempt from the Natural Resources approved by the Environmental Council and KAH(1) and the Exemption List for the Department of Land and Natural Resources.

Exemption Class No.:

Class 1-41 (Trigert)

Project Description:

Use of State Land

Project Location:

2-013-022 and 005

Project / Reference No.:

Not applicable

Project Title:

Ahohi Malama I Ka Lohia right-of-entry

Chapter 11-200, H.A.R.

requiring the preparation of an environmental assessment pursuant to Chapter 2-013, H.A.R. will

EXEMPTION NOTIFICATION

Conducting period educational tours of the marsh area highlighting the wildlife biota of the marsh, the cultural/historical significance of the marsh, impacts to native birds in the watershed system, and the threats posed to the marsh. Impacts to native birds and other species will be mitigated by conducting these tours away from nesting sites.

Conservation management will be conducted in the areas near and around Lūpō Heiau and Mā Pōhaku o Hawai'i. This will be done through mechanical and manual removal of weeds infesting the marsh area and, once permitting issues with the Department of Health Clean Water Branch have been resolved, careful application of pesticides in accordance with all applicable Federal, State and County rules and regulations. Removal of the floating weed-grass mud layers will be done to increase the open water and protect the surface areas of the wetland ponds. All work will be performed with proper protective equipment in compliance with APPL's safety protocols. All individuals conducting work in the marsh will sign liability waivers. Potential environmental impacts will be reduced by conducting work within the marsh at sites highlighted in the included

This will be accomplished by:

- Education,
- Conservation and management, and
- Subtenance, traditional and customary practices by native Hawaiians consistent with the long-term preservation of the wildlife sanctuary resources

This letter is in response to your letter to the 'Ahihihi Mālama I Ka Lōkahi (APML) Board of Directors (BOD) dated March 3, 2012, in compliance with the existing Memorandum of Agreement with the Board of Land and Natural Resources in regards to the Kawaihewa Marsh State Wildlife Sanctuary. We are formally requesting a Right-of-Entry permit to the MOLA. This request is being made on behalf of the BOD for the time period of May 1, 2012 to April 30, 2013. We are formally requesting a Right-of-Entry permit to conduct the following work in the Kawaihewa Marsh State Wildlife Sanctuary:

Mr. Jason Phelan  
Division of Forestry and Wildlife  
Oahu Branch  
2135 Mahalo Heights Drive  
Honolulu, HI 96822



BOARD OF DIRECTORS  
Chairman, Co-President  
Dr. Charles Burrows, Co-President  
Randy Adams, Treasurer  
Dr. Sam Con III, Secretary  
Dr. M. Montgomery, Member at Large  
Darryl C. Smith, Member at Large  
Honolulu, HI 96822

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Randy Adams, Treasurer  
Dr. Sam Con III, Secretary  
Dr. M. Montgomery, Member at Large  
Darryl C. Smith, Member at Large  
Honolulu, HI 96822

**Ronald Sato**

---

**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 12:16 AM  
**To:** Paulette Tam  
**Subject:** Fwd: NPOH Part Two  
**Attachments:** 20150425\_150415.jpg; 20150425\_150424.jpg; 20150425\_150436.jpg; 20150425\_150445.jpg

**Re: EISPN: Environmental Impact Statement Preparation Notice -  
For Title Project DLNR/ Kawainui-Hamuakua Master Plan - Part  
Four NPOH Part Two.**

FYI confidential thoughts and information intended only for the recipient and for educational purposes.

----- Forwarded message -----

**From:** **Paulette Tam** <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
**Date:** Sat, Apr 25, 2015 at 4:37 PM  
**Subject:** NPOH Part Two  
**To:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

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MEMORANDUM OF AGREEMENT  
BETWEEN  
'AAHAU MALAMA I KA LOKAHI  
AND THE  
STATE OF HAWAII  
BOARD OF LAND AND NATURAL RESOURCES  
REGARDING COOPERATIVE MANAGEMENT PROGRAMS  
AT KAWAII AND HAMAKUA MARSHES, OAHU

This Memorandum of Agreement ("Agreement") is made this 21st day of July, 2009, by and between "Ahaui Malama I Ka LokaHI, hereinafter referred to as "AML", and the State of Hawaii, by its Board of Land and Natural Resources hereinafter referred to as the "Board." AML and the Board are jointly referred to as the "Parties."

WITNESSETH

WHEREAS, pursuant to section 183D-2, Hawaii Revised Statutes (HRS), Board is charged with the responsibility of managing and administering the wildlife and wildlife resources of the State; and

WHEREAS, pursuant to section 195D-1, HRS, the Board is charged with the responsibility of insuring "the continued perpetuation of indigenous aquatic life, wildlife, land plants and their habitats for human enjoyment, for scientific purposes and as members of ecosystems"; and

WHEREAS, Kawaihuli Marsh is one of the largest remaining wetlands in Hawaii, encompassing an area greater than 830 acres, and serves as a critical flood control basin to protect the developed lower-lying areas of urban Kailua as well as the water quality of Kailua Bay. Moreover, the marsh's aesthetic open space is of high value to both the Windward community and the State; providing a variety of recreational and educational opportunities; and immediately downstream of Kawaihuli Marsh, which possesses many of the same flood control, water quality, open space, recreational and educational opportunities afforded at Kawaihuli; and

WHEREAS, Hamakua Marsh is a 22 acre wetland historically connected to and encompassing an area greater than 830 acres, and serves as a critical flood control basin to protect the developed lower-lying areas of urban Kailua as well as the water quality of Kailua Bay. Moreover, the marsh's aesthetic open space is of high value to both the Windward community and the State; providing a variety of recreational and educational opportunities; and immediately downstream of Kawaihuli Marsh, which possesses many of the same flood control, water quality, open space, recreational and educational opportunities afforded at Kawaihuli; and

WHEREAS, Kawaihuli and Hamakua Marshes have been designated a RAMSAR site of international importance due to their important natural and cultural resources, referred to collectively as the Kawaihuli and Hamakua Marsh Complex; and

WHEREAS, Kawaihuli and Hamakua Marshes support a variety of introduced and indigenous aquatic wildlife as well as providing important habitat for migratory bird species and four endangered species of native Hawaiian waterbirds, the U.S. Fish and Wildlife Service has identified both marshes as water bird recovery areas. In addition, because three prominent bays (Ulupo, Puhukini, and Holomakanui) and numerous significant archaeological sites are located in

Kawaihuli, the entire Kawaihuli Marsh has been determined to be eligible for listing in the National Register of Historic Places; and

WHEREAS, approximately 80 acres of Kawaihuli Marsh were acquired with federal funds from the Land and Water Conservation Fund Program and these lands are now designated 6(f) which requires that outdoor recreation opportunities be provided; and

WHEREAS, the Board is the landowner and is charged with the responsibility of managing lands in Kawaihuli Marsh (including Wa'auia Ika Ika ITT parcel) and Hamakua Marsh; and

WHEREAS, the Board is restoring habitat for endangered endemic water birds such as the Hawaiian noddie (*Himantopus mexicanus knudseni*), Hawaiian gallinule (*Gallinula chloropus sandvicensis*) and Hawaiian coot (*Colymbus alai*); and

WHEREAS, AML is a private, non-profit organization whose mission is to develop, promote, and practice a native Hawaiian conservation ethic, relevant to our times, that is responsible to both Hawaiian culture and science. This ethic is protective of native cultural and natural heritage and is expressed through research, education, and active stewardship; and

WHEREAS, AML has a "Curatorship Agreement" with the State of Hawaii Department of Land and Natural Resources - Division of State Parks for the ecological restoration of the cultural site of *No Pihaku o Hanawale*; and

WHEREAS, AML has a "Co-curatorship Agreement" along with the Kailua Hawaiian Civic Club with the State of Hawaii Department of Land and Natural Resources - Division of State Parks for the cultural site of *Ulupo Heiau*; and

WHEREAS, AML conducts educational tours for adult community groups and learning activities for school groups from elementary through college of the natural and cultural history of Kawaihuli Marsh and the Kailua Ahupua'a; and

WHEREAS, AML has successfully worked with the Kailua Bay Advisory Council to assist with the maintenance of the Kawaihuli Neighborhood Park Best Management Practices (BMP) garden; and

WHEREAS, AML conducts service learning projects involving various community members and student classes from elementary through college in the restoration and conservation of the ecological and cultural sites in Kawaihuli Marsh.

NOW, THEREFORE, the above parties agree to engage as partners in a cooperative effort to inform the public about the natural and cultural resources of Kawaihuli and Hamakua Marshes, efficiently and effectively. Both parties hereto deem it mutually advantageous and desirable to cooperate in providing educational, interpretive, and passive recreation opportunities of Kawaihuli and Hamakua Marshes, and agree to the following provisions.

**Ronald Sato**

---

**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 12:18 AM  
**To:** Paulette Tam  
**Subject:** Fwd: BR Two  
**Attachments:** 20150425\_150454.jpg; 20150425\_150505.jpg; 20150425\_150518.jpg

**Re: EISPN: Environmental Impact Statement Preparation Notice -  
For Title Project DLNR/ Kawainui-Hamuakua Master Plan - Part  
Five BR Two.**

FYI confidential thoughts and information intended only for the recipient and for educational purposes.

----- Forwarded message -----

From: **Paulette Tam** <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
Date: Sat, Apr 25, 2015 at 4:40 PM  
Subject: BR Two  
To: Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

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# VII. Miscellaneous Provisions.

A. *Disclaimers.* Nothing in this Agreement shall be construed as affecting in any way the delegated authority or responsibilities of the Board of Land and Natural Resources. This Agreement shall not supersede any agreements currently in effect between the State and AML.

B. *Additional Parties.* By modification of this Agreement by the Parties, additional governmental, non-profit organizations, and other entities may be made party thereto on such terms and conditions as the Board and AML may agree.

IN WITNESS WHEREOF, the parties hereto have executed this Memorandum of Agreement as of the last date written below.

AAHAI MALAMA I KA LOKAHI

By Laurel H. Thelen  
Name Laurel H. Thelen  
Title President

Date 2/24/2010

STATE OF HAWAII  
BOARD OF LAND AND NATURAL RESOURCES

By Laurel H. Thelen  
Chairperson  
Date 02/11/2010

Approved by the Board of Land and Natural Resources  
at its meeting held on October 23, 2009.

Approval as to Form:

1. 0122  
Deputy Attorney General

Date 11/5/09

- IV. Term, Evaluation And Modification.
- Participation in meetings that direct AML, the Board and other community groups and representatives in the efforts to engage and educate the public about the cultural and natural resources of Kawahau and Hamakua Marshes.
  - Collaboration to develop projects that mutually benefit both parties missions and goals.
  - Collaboration to identify suitable areas for cultural restoration.

A. *Term.* This instrument is executed as of the last date shown below which shall be the commencement date. This instrument will remain in effect for ten (10) years after which it is renewable at the option of the Parties.

B. *Reversion.* The Agreement may be reviewed, evaluated, and updated at any time, but no later than the (5) year term the commencement date. A record of the evaluation will be appended to the agreement.

C. *Modification.* This Agreement may be modified at any time by mutual agreement of the Parties. Modifications shall be in writing executed by the authorized officer representing AML and the Board respectively. For purposes of this modification provision, such authorized officers are AML, and the Board of Land and Natural Resources for all substantive changes and the Chairperson of the Board for non-substantive changes to facilitate processing such changes.

V. Termination.

Either party, in writing, may terminate the instrument in whole, or in part, at any time before the date of expiration. Unless otherwise by mutual agreement, 90 days advance notice shall be provided prior to termination.

## VI. Principal Contacts.

The principal contacts for administering this Agreement are:

A. Ahai Malama I Ka LokaHI  
P.O. Box 751  
Honolulu, Hawaii 96808

B. State of Hawaii/ Department of Land and Natural Resources  
Division of Forestry and Wildlife - Oahu Forestry and Wildlife Manager  
2135 Maalika Highway Drive  
Honolulu, Hawaii 96822

I. Board Responsibilities:

The Board agrees to undertake the following responsibilities under this Agreement:

- Support the efforts of AML to continue to develop educational and interpretive programs in Kawaiinui and Hamakua Marshes, especially with wetland bird habitat restoration.

- Seek consultation and advice from AML in the protection and management of cultural and ecological sites within Kawaiinui and Hamakua Marshes.
- Assist in funding interpretive and educational signage and kiosks about the natural and cultural resources of Kawaiinui and Hamakua Marshes upon receipt and approval of a proposed design and budget.

- Provide appropriate interpretation and resources, as requested, to assist AML in gathering materials to develop educational and interpretive programs and to support AML and community efforts to creating a visitor center and a Hawaiian cultural and environmental center at Kawaiinui Marsh.

- Provide passive recreational opportunities in conjunction with the wildlife sanctuaries, including trails, viewing platforms for bird-watching, and interpretive signs.

All Board activities and support are as funding permits.

AML Responsibilities:

AML agrees to undertake the following responsibilities under this Agreement:

- Will continue to engage Department of Education district schools, and private schools, i.e. Le Jardin Academy, colleges and interested community groups in the restoration projects and educational programs in Kawaiinui and Hamakua Marshes.

- Will consult with and seek necessary approvals from the Board on any cultural and ecological restoration projects or programs conducted on lands managed by the Board in Kawaiinui and Hamakua Marshes.

- Will provide the Board proposed designs and budgets for interpretive and educational signage and kiosks about the natural and cultural resources of Kawaiinui and Hamakua Marshes.

Joint Responsibilities:

The Board and AML agrees to undertake the following joint responsibilities under this Agreement:

**Ronald Sato**

---

**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 12:19 AM  
**To:** Paulette Tam  
**Subject:** Fwd: UHSHS  
**Attachments:** 20150425\_150815.jpg; 20150425\_150835.jpg; 20150425\_150927.jpg; 20150425\_151000.jpg

**Re: EISPN: Environmental Impact Statement Preparation Notice -  
For Title Project DLNR/ Kawainui-Hamuakua Master Plan - Part Six  
UHSHS.**

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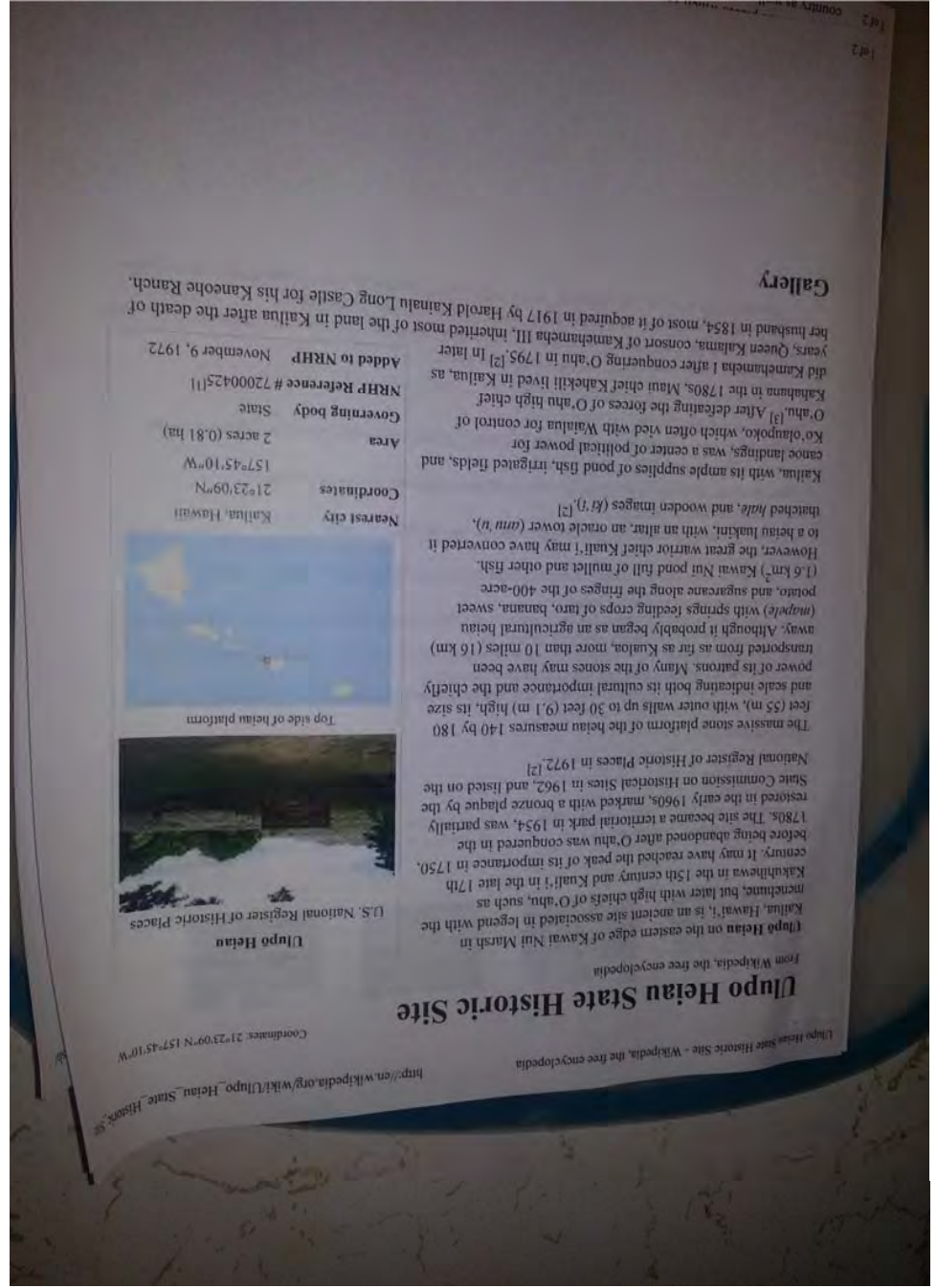
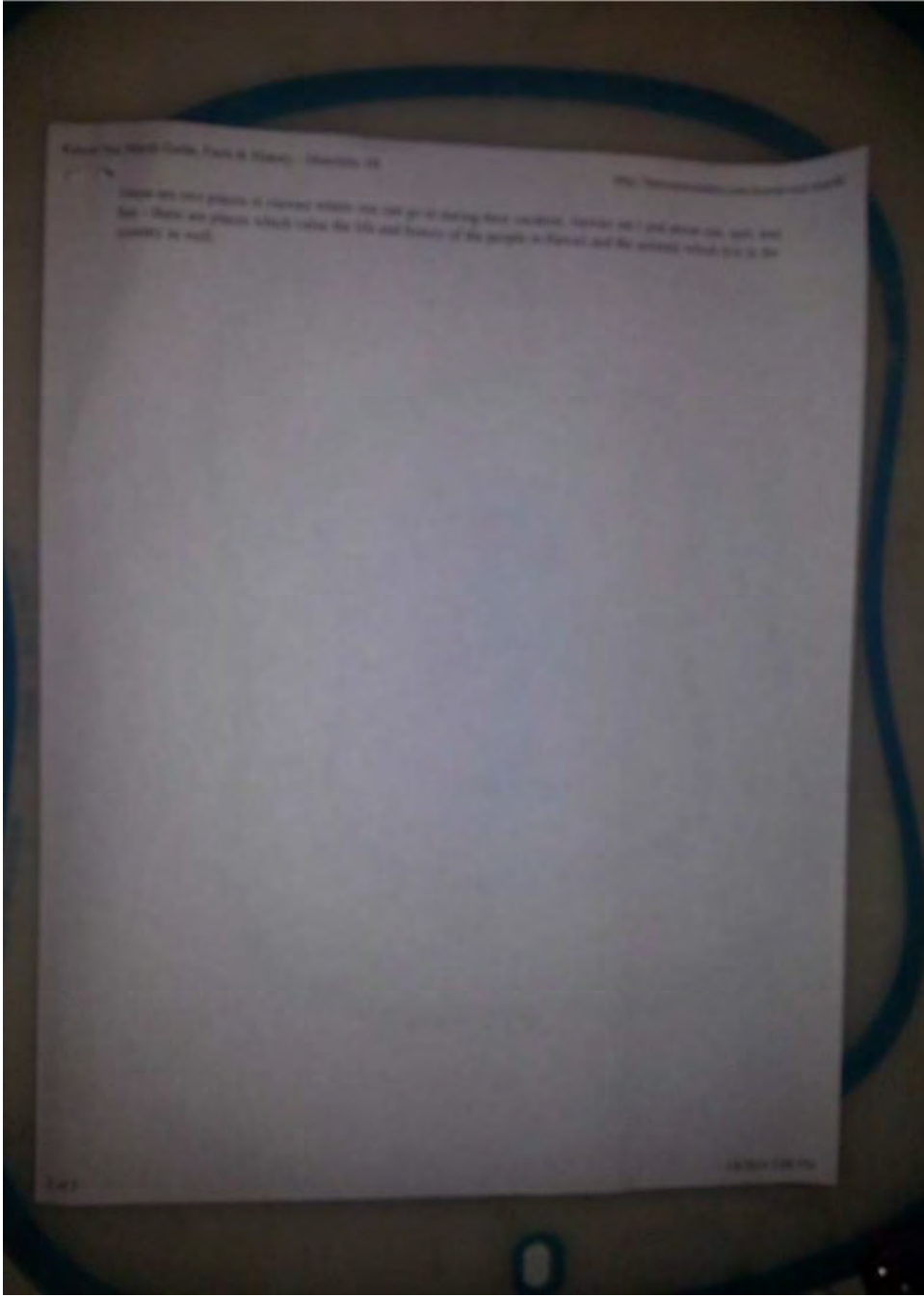
**From:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
**Date:** Sat, Apr 25, 2015 at 4:45 PM  
**Subject:** UHSHS  
**To:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

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## Kawai Nui Marsh



Sunset at Kawai Nui Marsh

Photo by: [jdna](#), [Creative Commons](#)

**Kawai Nui Marsh** may not be a usual spot for visitors to go to, but this area is of great importance to the many animal and plant species which can be found there. Majority of these species are endangered, such as the waterbirds which consider this wetland their sanctuary. Over the years organizations have fought to maintain the "untouched" nature of the marsh and prevented residential buildings from being built in the area. It appears that their efforts have all paid off.

The area has now been considered as a "Wetland of International Importance", which sheds hope to the non-profit organizations which have sought to preserve the waterbird species found in the area. The Marsh currently has no walking trails or a visitor's information center, but these are currently being built for the convenience of visitors. A levee currently serves as a makeshift trail which leads through the marsh and ends near the Pali Highway.

You can go on tours of the Kawai Nui Marsh. The *Ahahui Malama I Ka Lokuhi* is an organization which has more details and information regarding the tours being conducted in the marsh. Volunteer work is also done in the marsh. Students and other volunteers help plant trees and other vegetation in the area to help improve the habitat of the waterbirds which live there.

The Kawai Nui Marsh is near the *Ulupo Heiau*, which is a historical site that was used for ceremonies which were believed to help improve the development and planting of crops in the area. Now it is part of the National and Hawaii Registers of Historical Places.

These are two places in Hawaii where one can go to during their vacation. Hawaii isn't just about sun, surf, and fun – there are places which value the life and history of the people in Hawaii and the animals which live in the country as well.

## References

1. "National Register Information System" ([http://nrip.focus.nps.gov/viatreg/docs/All\\_Data.html](http://nrip.focus.nps.gov/viatreg/docs/All_Data.html)). *National Register of Historic Places*. National Park Service. 2010-07-09.
  2. "Hawaii State Parks: Ulupo Heiau State Historic Site" ([http://www.hawaiistateparks.org/parks/oahu/index.cfm?park\\_id=32](http://www.hawaiistateparks.org/parks/oahu/index.cfm?park_id=32)). Retrieved 2009-12-28.
  3. "Asia-Pacific Digital Library: Waialua: Stories of an Ancient Island" (<http://apdl.kcc.hawaii.edu/~oahu/stories/waialua/index.htm>). Retrieved 2009-12-28.
- Retrieved from "http://en.wikipedia.org/w/index.php?title=Ulupo\_Heiau\_State\_Historic\_Site&oldid=542271027"
- Categories: National Register of Historic Places in Hawaii | History of Oahu | Archaeological sites in Hawaii | Properties of religious function on the National Register of Historic Places in Hawaii | Buildings and structures in Honolulu, Hawaii | Archaeological sites on the National Register of Historic Places in Hawaii | State parks of Hawaii | Heiau | Protected areas of Oahu
- This page was last modified on 5 March 2013 at 22:01.  
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Top of ceremonial platform, with altar/monument  
 Garden view of ceremonial platform  
 Garden view across Kawai Nui Marsh  
 Kalo lo'i



**Ronald Sato**

---

**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 12:20 AM  
**To:** Paulette Tam  
**Subject:** Fwd: C:NROHPIH  
**Attachments:** 20150425\_150643.jpg; 20150425\_150704.jpg; 20150425\_150802.jpg

**Re: EISPN: Environmental Impact Statement Preparation Notice -  
For Title Project DLNR/ Kawainui-Hamuakua Master Plan - Part  
Seven C:NROHPIH.**

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From: **Paulette Tam** <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
Date: Sat, Apr 25, 2015 at 4:43 PM  
Subject: C:NROHPIH  
To: Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

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From Wikipedia, the free encyclopedia

National Register of Historic Places in the U.S. state of Hawaii.



Wikimedia Commons has media related to *National Register of Historic Places in Hawaii*.

## Subcategories

This category has the following 6 subcategories, out of 6 total.

- ▶ National Historic Landmarks in Hawaii (36 P)
- ▶ National Historic Sites in Hawaii (1 P)
- ▶ Archaeological sites on the National Register of Historic Places in Hawaii (8 P)

- Buildings and structures on the National Register of Historic Places in Hawaii (10 C, 36 P)

- Properties of religious function on the National Register of Historic Places in Hawaii (32 P)

- Hawaii National Register of Historic Places templates (1 P)

Pages in category "National Register of Historic Places in Hawaii"

The following 67 pages are in this category, out of 67 total. This list may not reflect recent changes (learn more).

## H cont.

## M cont.

- |                                                                                                                                                                                                        |                                                                                                                                                                                |                                                                                                                                               |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>■ National Register of Historic Places listings in Hawaii</li> <li>■ National Register of Historic Places listings in Hawaii Volcanoes National Park</li> </ul> | <ul style="list-style-type: none"> <li>■ Heritage railways in Kauai</li> <li>■ Hokokano-Ualapue Complex</li> <li>■ Hualalai Bay</li> <li>■ Honolulu Internment Camp</li> </ul> | <ul style="list-style-type: none"> <li>■ Merchant Street Historic District</li> <li>■ USS Missour (BB-63)</li> <li>■ Moli Fishpond</li> </ul> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|

- Wailuku Library
- Waioli Mission District
- Wheeler Army Airfield

- Haena Archeological Complex
- Halei'i-Pihanna Heiau State Monument
- Hana Highway
- Hanalei Elementary School
- Hanapepe Town Lot No. 18
- Haraguchi Rice Mill
- Hawaii Capital Historic District
- Hawaii Route 560

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W/index.php?title=Category:National\_Register\_of\_Historic\_Places\_in\_Hawaii&oldid=551454153"

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|                                                                    |                                                                                                                              |                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                     |                                                                                                                                                                                             |                                                                               |                                                                                                                             |                                                                                    |                                                                                                                                                                                |                                                                                                                                |                                                                                                             |
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| <ul style="list-style-type: none"> <li>■ Moili Fishpond</li> </ul> | <ul style="list-style-type: none"> <li>■ Holua Bay</li> <li>■ Honolulu Internment Camp</li> <li>■ Huihua Fishpond</li> </ul> | <ul style="list-style-type: none"> <li>■ National Register of Historic Places listings in Hawaii Volcanoes National Park</li> <li>■ National Register of Historic Places listings in K</li> </ul> | <ul style="list-style-type: none"> <li>■ Kahaluu Bay</li> <li>■ Kahaluu Fish Pond</li> <li>■ Kahaluu Taro Lo'i</li> <li>■ Kalana Pakui Building</li> <li>■ Kalapolepo Fishpond</li> <li>■ Keauhou Bay</li> <li>■ Kilauea Plantation</li> <li>■ Kilauea School</li> <li>■ King David Kalakaua Building</li> <li>■ Kong Lung Store</li> <li>■ Kuamoo Buriats</li> <li>■ Kukui Heiau</li> </ul> | <ul style="list-style-type: none"> <li>■ Oahu Railway and Land Company</li> <li>■ Old Waialua Courthouse</li> </ul> | <ul style="list-style-type: none"> <li>■ Palm Circle</li> <li>■ Pearl Harbor</li> <li>■ Puuope Platform</li> <li>■ Puu-a-2 Agricultural Fields</li> <li>■ Archeological District</li> </ul> | <ul style="list-style-type: none"> <li>■ Royal Mausoleum of Hawaii</li> </ul> | <ul style="list-style-type: none"> <li>■ Lihue Civic Center Historic District</li> <li>■ Lihue Hongwanji Mission</li> </ul> | <ul style="list-style-type: none"> <li>■ Salvation Army Waiole Tea Room</li> </ul> | <ul style="list-style-type: none"> <li>■ Tantalus-Round Top Road</li> <li>■ Territorial Building</li> <li>■ Territorial Building (Waialua)</li> <li>■ Thomas Square</li> </ul> | <ul style="list-style-type: none"> <li>■ Ulupo Heiau State Historic Site</li> <li>■ United States Post Office-Lihue</li> </ul> | <ul style="list-style-type: none"> <li>■ Waialeale Library</li> <li>■ Waialeale Mission District</li> </ul> |
|--------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|

**Ronald Sato**

---

**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 12:23 AM  
**To:** Paulette Tam  
**Subject:** Fwd: Kahu Ryan A Kalama Mini Profile

**Re: EISPN: Environmental Impact Statement Preparation Notice -  
For Title Project DLNR/ Kawainui-Hamuakua Master Plan - Part  
Eight Kahu Ryan A Kalama Mini Profile (Past President of the  
Kailua Hawaiian Civic Club (Deceased in 2013)).**

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**From:** **Paulette Tam** <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
**Date:** Mon, Oct 3, 2016 at 3:04 PM  
**Subject:** Fwd: Kahu Ryan A Kalama Mini Profile  
**To:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

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**From:** "Paulette Tam" <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
**Date:** Nov 9, 2013 6:26 AM  
**Subject:** Kahu Ryan A Kalama Mini Profile  
**To:** "Red Ralston" <[ted.ralston@gmail.com](mailto:ted.ralston@gmail.com)>  
**Cc:**

**Kahu Ryan Kalama [Mini Profile]**

Monday, 12 August 2013 11:03 Kahu Ryan Kalama

**ALOHA KAKOU  
MINI PROFILE  
OF**



## **KAHU RYAN ALENA KAIMANA KUHIO POEPOE KALAMA**



**Komike Ho'o Mohala Ho'o Lala**  
(Membership Development Committee Chairman)

**Born:** January 3rd, 1955 in Coconut Grove of Kailua, Oahu, 96734, on Kailua Beach to Richard Alena Kalama Sr. and Constance Kealaonaona Poepoe Young. Genealogy Ohana: Kalama, Poepoe, Young, Gouvea, and also another Off Spring of Kamehameha through Adelina Pu'u wai Maemae Poepoe 5th Generation Kamehameha. Grand nephew of Gulstan Poepoe of Wahiawa Hawaiian Civic Club and Mahoe of Kailua Hawaiian Civic Club. My children have continued the Kalama - Poepoe Legacy with my three sons (ages 33, 35, and 37) and 10 grandchildren.

**Attended:** St. Anthony's in Kailua, Damien High, Graduated at Kailua High in 1973, attended the following colleges while working: University of Hawaii Manoa Campus, University of Maryland, St. Joseph Baltimore College, Tulsa Oklahoma Benzidine College, Glendale Community College, Arizona State University, and Phoenix College Arizona. Degrees and Certifications in Business Management, Accounting, Medical Administration, Theology/ Philosophy, and Minister of Divinity. Hawaiian Studies through Auntie Lani Kalama, Auntie Ermgard Aluli, Auntie Bella Richards, and Mr. Snakenburg. Also Alumnae of the Kailua Hawaiian Madrigal Singers 1970 - 1973.

**Served and Multi Tasked:** in the United States Air Force from 1973 - 1983 and United States Air Force Reserve from 1973 - 1993 in Communication, Services Specialists, Protocol, Embassy, and Morale-Welfare-Recreation. Ordained and Served as a Deacon at Prince of Peace Catholic Church 1975 - 1977. Payroll Manager for Internal Revenue Services, Federal Investigation Office, and Federal Judiciary Courts 1987 - 1990. Supervisor for the Phoenix Veterans Medical Center, Las Vegas Veterans Clinic 1990 - 1993. Admission Management at St. Rose Dominican, Sun Rise Hospital, and Charleston Home Health Care of Las Vegas Nevada 1993 - 1995. Property Manager at Woodside Village from 1995 - 1996. Served as Pastor since 1975 for a variety of Churches such as Prince of Peace, Gospel Echo, Assembly of God, Kings Church, Four Square Chapel, Gathering Place of God Ministries, currently serving St. Matthews Episcopal Church of Waimanalo as the Outreach Minister, and as Kahu of the Association and Oahu Council of Hawaiian Civic Clubs.

**Medically Retired so I am currently Serving and Volunteering on the following Community Organizations since 2007:**

- Kahu of the Association of Hawaiian Civic Clubs
- Kahu of Oahu Council of Hawaiian Civic Clubs
- Current President of Kailua Hawaiian Civic Clubs

- Member of the Hawaiian Civic Club of Waimanalo and Koolaupoko of Kaneohe
- Delegate at Large of the Waimanalo Neighborhood Board
- Waimanalo Ahupua'a Coalition Founder
- Kahu of Waimanalo Community Outreach
- Director and Legislature Chair of the Kailua Chamber of Commerce
- Ambassador Member of Windward Community College
- Hawaiian Cultural Advisor for Bellows AFS and Kaneohe Marine Corps
- Cultural Advisor for Family Social Services
- Director on the Clergy Advisory Board of Hawaii

**I reach out to all of our people both Hawaiian and Hawaiian at heart to unite with Aloha to share our love of our Hawaiian culture. Hoping that everyone would focus for the needs and kuliana of our families, children, and kupuna of all of our Communities that embrace Aloha and our Hawaiian Culture. Onipa'a on our beautiful way of life with Peace and Aloha.**

**SERVING ALL OUR PEOPLE WITH PEACE AND ALOHA**

Last Updated on Monday, 12 August 2013 11:28

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**Ronald Sato**

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**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 12:25 AM  
**To:** Paulette Tam  
**Subject:** Fwd: Ulupo Heiau  
**Attachments:** 20140517\_152439\_resized\_1.jpg

## **Re: EISPN: Environmental Impact Statement Preparation Notice - For Title Project DLNR/ Kawainui-Hamuakua Master Plan - Part Nine Ulupo Heiau.**

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**From:** **Paulette Tam** <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
**Date:** Wed, Jun 4, 2014 at 9:03 PM  
**Subject:** Ulupo Heiau  
**To:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>, Aunty Suzi E Mann <[seawifem@gmail.com](mailto:seawifem@gmail.com)>

Draft plan 2011 by Kailua HCC submitted to Kailua.

Sent via the Samsung Galaxy Note® II, an AT&T 4G LTE smartphone

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**ULUPŌ HEIAU**  
**Cultural Resources Management**  
**&**  
**Landscape Plan**



**DRAFT**  
**November 2011**

**Ronald Sato**

---

**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 12:27 AM  
**To:** Paulette Tam  
**Subject:** Fwd: Part One - Ulupo Heiau Cultural Resource Management & Landscape Plan-Draft November 2011 - Total 139 Pages in Color and Black ink cartridges.  
**Attachments:** 20161013\_090630.jpg

**Re: EISPN: Environmental Impact Statement Preparation Notice -  
For Title Project DLNR/ Kawainui-Hamuakua Master Plan - Part  
Ten Part One Ulupo Heiau Cultural Resources Management &  
Landscape Plan Draft November 2011.**

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**From:** **Paulette Tam** <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
**Date:** Fri, Oct 14, 2016 at 12:06 AM  
**Subject:** Part One - Ulupo Heiau Cultural Resource Management & Landscape Plan-Draft November 2011 - Total 139 Pages in Color and Black ink cartridges.  
**To:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

Re: EISPN

Prepared for:  
Ahahui Malama I Ka Lokahi (AML);  
Kailua Hawaiian Civic Club;  
DLNR, Division of State Parks

By:  
Mary Orr  
Sean McNamara  
Frances Palama  
and  
Mary Yent

See attached photo.

--

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**ULUPŌ HEIAU  
&  
Cultural Resources Management  
Landscape Plan**

**Prepared For**

**'Ahaui Malama I Ka Lōkahi  
Kailua Hawaiian Civic Club  
DLNR, Division of State Parks**

**By**

**Maria Orr  
Sean McNamara  
Francine Palama  
and  
Martha Yent**



**Ronald Sato**

---

**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 12:30 AM  
**To:** Paulette Tam  
**Subject:** Fwd: Part Two- Ulupo Heiau Cultural Resources Management & Landscape Plan-Draft November 2011  
**Attachments:** 20161013\_235928.jpg

**Re: EISPN: Environmental Impact Statement Preparation Notice -  
For Title Project DLNR/ Kawainui-Hamuakua Master Plan - Part  
Eleven Part Two Ulupo Heiau Cultural Resources Management &  
Landscape Plan Draft November 2011.**

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**From:** **Paulette Tam** <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
**Date:** Fri, Oct 14, 2016 at 12:06 AM  
**Subject:** Part Two- Ulupo Heiau Cultural Resources Management & Landscape Plan-Draft November 2011  
**To:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

Preface:  
See attached photo.

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## PREFACE

This Cultural Resource Management and Landscape Plan is a conceptual and dynamic plan that will direct site restoration work at Ulupo Heiau by 'Ahaione Maiana I Ka Lōkahi (AMIL) and the Kāhuna Hawaiian Civic Club (KHCC) in their role as the co-curators of a portion of Ulupo Heiau State Historical Park. As such, it is anticipated that the plan will be reviewed on a regular basis to assess if the guidelines established for managing the cultural resources and the implementation strategy developed for restoring the cultural landscape are working as envisioned. As a conceptual plan, the implementation strategy creates the foundation for setting priorities and seeking funding to carry out the different aspects of the plan. However, the budgets shown in the plan are estimates and are not based on actual bids received for conducting the work.

This is not an operational plan in the sense of directing the daily activities or establishing operating policies. AMIL and KHCC, in partnership with State Parks and the Windward YMCAs, must continue to work on developing the policies that will define the relationship of the various parties; guide the work conducted on-site, and establish protocol for the harvesting and use of the plant materials grown as part of the cultural landscape.

Although community participation was sought during the visioning meetings carried out as part of this planning process, it is important that the community continue to be consulted as a partner in this cultural landscape restoration. Additional community outreach will be scheduled to discuss the elements of the plan in more detail, solicit support for the implementation of the plan, and consider the needs and desires of the cultural practitioners. Consultation with the neighboring Kūkanono community will be needed before moving forward with the portions of this plan that may affect this community both directly and indirectly.

The planning effort at Ulupo Heiau is an exciting first step towards the restoration of Kāhuna as a significant cultural place and *wahi pāna*. The public ownership of almost 800 acres at Kāhuna-Hamākua Marsh under the management of the State of Hawaii's Department of Land and Natural Resources sets a foundation for the restoration of Ulupo Heiau in concert with other restoration projects around the marsh. The update of 1994 Kāhuna Master Plan scheduled for 2011-2013 offers a way for the planning at Ulupo Heiau to be coordinated into the larger plan that should promote the natural setting and cultural landscape of Kāhuna within the Kāhuna *ahupua'a*.

The text of this plan involves the use of many Hawaiian words and place names. To the extent possible, an effort was made to use proper diacritical marks in Hawaiian words, and the names of plants, animals, places, and historical figures. Diacritical marks were not added to direct quotes. Any remaining errors in Hawaiian spelling are the authors'.

**Ronald Sato**

---

**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 12:32 AM  
**To:** Paulette Tam  
**Subject:** Fwd: Part Three - Ulupo Heiau Cultural Resources Management & Landscape Plan  
**Attachments:** 20161014\_000340.jpg

## **Re: EISPN: Environmental Impact Statement Preparation Notice - For Title Project DLNR/ Kawainui-Hamuakua Master Plan - Part Twelve Part Three Ulupo Heiau Cultural Resources Management & Landscape Draft.**

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**From:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
**Date:** Fri, Oct 14, 2016 at 12:24 AM  
**Subject:** Part Three - Ulupo Heiau Cultural Resources Management & Landscape Plan  
**To:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

Acknowledgeents:

June 20, 2009 Participants:

Yvonne Kaiahua, Ryan Kalama, Bill Stone, Kalei Kini, Louie Mahoe, Chris Fung, Martha Yent, Napua Harbottle, Tery Yasuko Ogawa, Shirley Garcia, Marie Terri, Hanaloa Helela, Doc Burrows.

October 17, 2009 Participants:

Sandy Adamson, Doc Burrows, Mina Elison, Sharman Elison, Lehuakona Isaacs, Ryan Kalama, Terry Ogawa, Mia Orr, Kaimi Scudder, Stanley Socamillo, Marie Terri.

"It is with the support of all these people and organizations that have been able to complete this plan for Ulupo Heiau. We now look forward to its implementation over the next 5 years. Mahalo kakou!"

See attached photo.

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## ACKNOWLEDGEMENTS

*Mahalo nui loa* to the many people who helped to make this Cultural Resources Management & Landscape Plan for Ulupō Heiau possible. Funding support to carry out the many elements of the plan was provided by The Nature Conservancy, the LEF Foundation, the Division of State Parks, and the Kailua Hawaiian Civic Club. We also acknowledge 'Ahaui Mālama I Ka Lōkahi for soliciting these funds and administering the grants.

Dawn Easterday and Roxanne Adams played a major role in this planning effort. They volunteered their time and shared their expertise to develop the foundation of the landscape plan. They also assisted with the visioning meetings and drafting the initial planning maps. We are most thankful to them for all their assistance and support.

Sean McNamara would like to thank community members that took the time to meet with him to discuss their concerns and desires for Ulupō Heiau SHP prior to the community vision meetings. They are: Dr. Paul Brennan, Sean Craig, and Napua Harbottle.

He would also like to thank the following individuals who shared with him their insight, passion, and dedication in protecting, managing, and revitalizing *heiau* today: Kamauhi Aloma, Director of Kahanu Garden (Maui); Eric Enos, Co-Founder and Program Director for the Kailua Cultural Learning Center (O'ahu); Butch Heleman, Kahu of Waimea Valley under the Office of Hawaiian Affairs (O'ahu); and Margo Vitarelli, Program Director for the Manoa Heritage Center (O'ahu).

The visioning meetings to discuss the future of Ulupō Heiau provided valuable community input to the planning process. We would like to acknowledge all those who took time out of their busy schedules to participate in one or both of these meetings. We have tried to accurately and appropriately convey everyone's suggestions and recommendations in this final plan.

June 20<sup>th</sup>, 2009 participants: Yvonne Kailua, Ryan Kailua, Bill Stone, Kaili Kaili, Louie Mahoe, Chris Fung, Martha Yen, Napua Harbottle, Terry Yasuko Ogawa, Shirley Garcia, Marie Teri, Hanalei Heleia, Doc Burrows

October 17<sup>th</sup>, 2009 participants: Sandy Adamson, Doc Burrows, Mina Ellison, Sharnan Ellison, Lehuakona Isaacs, Ryan Kailua, Terry Ogawa, Mia Orr, Kaili Scudder, Stanley Scudder, Marie Teri.

The planning team would also like to say *mahalo* to the review committee that spent many hours reviewing, editing, and providing constructive comments on the many drafts of this plan. Representing the various stakeholders at Ulupō Heiau, we would like to acknowledge the members of the dedicated review committee for their guidance and continued support:

- 'Ahaui Mālama I Ka Lōkahi – Dr. Charles Burrows, Shirley Garcia, Samuel 'Ohi'a Cron, Charles Lehuakona Isaacs, Rick Kaili Scudder, and Marie Teri
- Kailua Hawaiian Civic Club – Mina Ellison
- Division of State Parks – Martha Yen

It is with the support of all these people and organizations that we have been able to complete this plan for Ulupō Heiau. We now look forward to its implementation over the next 5 years. *Mahalo kakou!*

**Ronald Sato**

---

**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 12:52 AM  
**To:** Paulette Tam  
**Subject:** Fwd: 9-17-13 Kailua NHB Planning, Zoning and Environment Cmtee Kawainui-Hamakua Marsh Conceptual Plan Update Presentation HHFPI Notes

**Re: EISPN: Environmental Impact Statement Preparation Notice - For Title Project DLNR/ Kawainui-Hamuakua Master Plan - Part Thirteen 9-17-13 Kailua Neighborhood Board (NHB) Planning, Zoning and Environment Committee (Cmtee) Kawainui-Hamakua Marsh Conceptual Plan Presentation HHFPI Notes.**

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From: **Paulette Tam** <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
Date: Sun, Sep 22, 2013 at 5:30 AM  
Subject: 9-17-13 Kailua NHB Planning, Zoning and Environment Cmtee Kawainui-Hamakua Marsh Conceptual Plan Update Presentation HHFPI Notes  
To: Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

9-17-13 Kailua Neighborhood Board Planning, Zoning and Environment Cmtee Meeting 7 pm at Kalama Beach Park/Boettcher Estate C&C of HNL Parks & Rec. Donna Wong, chairman; Chuck Prentiss, Kailua NHB chairman; total 6 cmtee members.

Helbert Hastert & Fee Planners, Inc.: Arron Mann: [amann@hhf.com](mailto:amann@hhf.com); Ronald A. Sato, AICP Associate (Presenter): [rsato@hhf.com](mailto:rsato@hhf.com)

Agenda: Presentation by HHFPI Kawainui-Hamakua Marsh Complex Master Plan Update: /Conceptual Plan

Bullet Points:

Hamakua is a water shed; Kawainui and Hamakua were transferred from the City and County of Honolulu (C&C of HNL) to the State Dept of Land and Natural Resources (DLNR). The Old Plan had no Cultural and Education input. The New Plan or Conceptual Plan does include Cultural and Educational Learning Opportunities.

Dept. of Forest and Wildlife (DOFAW) is a division under DLNR. DOFAW and DLNR manage different parts of Kawainui and Hamakua Marshes; both DOFAW and DLNR have different set of rules. DOFAW: Restoration and Cultural Resources Integration; Cultural Access; Outdoor Recreation is State Parks. Plus Education Partnerships are for more funding and to do more things. The more partnerships involved with taking care of their area of the Marshes, the more funding can come in to pay for taking care of the Marshes; then more activities can be done.

Resource Management and Stewardship with more schools and nonprofit organizations: clean up days & etc.; once per month; Ulupo and Pohaku are taken care of every first Saturday...

Planning Process is 3 meetings.

1. Federal Regulations: Southern part will be public recreation (?) ... Kawainui Marsh

Coordinate DOFAW & DLNR, Neighborhood Board, Community, Nonprofit Organizations and Schools meetings for input and partnership/stewardship.

Site Conditions: Input from other recommendations; factored in; statewide resources

International Importance; more Nonprofit Organizations involved to get Grants & Funding.

Cultural Practitioners.

Low Scale: Sensitive to ... (?)

Less grading; sustainable gravel; pathways – maybe gravel or grass outside of the Marshes; not inside of the marsh.

Kailua NHB Planning, Zoning and Environment Meeting 9-17-13; page 2

2. Cultural Practices

3. Public Access

Basically in the fringes are the Fish Pond Restoration for habitat; clear vegetation for natural flow. Upland outside of the marsh has Lots of invasive and put native vegetation. Further North create more open water, which DOFAW will expand the Master Plan.

Continue County Use on County owned Property

Nursing Use

Long Term Plan is to add into the Old Master Plan Reforestation along Kapaa Quarry Road & Northern Side; is a work in progress.

Hamakua Marsh/Puehu

Sanctuary: DOFAW add more acreage.

\*Possible Trail pending input majority agreement or no agreement; yes or no. Need more feedback re: management and Liability/Bird Sanctuary/Foot Trail on the Mauka Ridge; both sides of the Ridge belongs to the State.

\*Concern is State management: when the American Flag is supposed to be lit up but hasn't been for several months: how are they going to manage a Passive State Park if they cannot light up the American Flag?



This is a Conceptual Plan meaning a possible plan.

No Dogs on the Foot Trail.

Reinurnment Iwi Kupuna Site has enough dry land.

\*Concern is Ahupua'a Kailua "Heal the Community; make the reinurnment of the Iwi Kupuna now."

Hula Halau: Nonprofit/Not Commercial. DOFAW Learn from Kumu Hula Education Cultural Practitioners for future Kumu Hula.

Will be able to walk the levy; will have some parking; there's no parking for the public now. There are 15 parking spaces now for workers.

Kailua NHB Planning, Zoning and Environment Meeting 9-17-13; page 3

Nonprofits will have to maintain the evasive plants in their area.

Path is 5.7 miles under DLNR; community input; some say yes and some say no.

\*Concern questioned another State Park Marsh Plan Model that its management is successful. Also questioned Enforcement, which DLNR history is lacking in that area, is the main problem. Requests No Concrete paths/trails on the outer edges of both Marshes. Doesn't like the style of the glass roofs on the buildings shown in the HHFPI photos; prefer long buildings with Long Roofs.

US Fish & Wildlife Rules: No Concrete

Flat Island is a Bird Sanctuary

\*Community input: Hanauma Bay and Volcano National Park are bad examples of a Model Plan with successful management.

This is a Private and Public Conceptual Plan.

YWCA owns Access Road into Kawainu Marsh - Not the C&C of HNL.

No Parking for Buses. Not going through Kukuno'o.

Adding Kukuno'o.

Archeological Sites as interpretive viewing area and Lead to ponds, but there won't be any access to the ponds. Maunawili Stream blocks access to the second pond.

2 Pavillions: 1 passive and the other is for Education/Schools

DOFAW Nursery with parking lot and storage building will have an access bridge to the ponds. Fertilizers will be used by DLNR according to State Laws.

Sanctuary Rule Guideline: DOFAW has 100 commercial visitors per day limit for the marsh. DLNR State Park has No Limit. DOFAW will be management for DOFAW areas; DLNR will manage DLNR areas. See Plan maps for designated areas.

DOFAW: Restoration; Cultural; Education; Public Access

\*Community Concern: Semantics of Purpose Statement: Preservation...

Passive Recreation doesn't permit bicycles; only pedestrians; no swimming pools; no Segway; no Zipline.

Kailua NHB Planning, Zoning and Environment Meeting 9-17-13; page 4

\*Community Concern: Board of Water Supply Water Shed Management Plan; HHFPI will address that with the Board of Water Supply and will add that on the Plan Map.

\*Community Concern: Run off into the Marsh; Dept of Health Class I under State Law can drain into the water; request to see the EIS/Water Quality section. Note: EIS not made yet; this is a Conceptual possible plan in the community input stages.

Site Plan is compared to '94 Plan; Baseline Data First; EA was looked at... \*Community Concern: Resource Management cannot see... HHFPI will refine the Plan when they do an AIS and when the EIS disclosure document will show the AIS information. \*Community Concern: Storm Drain ; buffers/catchment.

Preliminary Planning of Partnership Development Public, Private, Neighborhood Board, Community Residents and Nonprofit Organizations .

Access: Observation/Maintenance road could be open for a pedestrian trail when not in use.

Schools have added their input.

Concept: Simulated View...shows photos.

Sewage: Septic Tanks (?)

Visitors are from the outer islands not just mainland and international.

Closing Times: Cannot build a Fence around it. 24/7 No way to close, but access is only through the YWCA owned access road.

History: Purchased from the C&C of HNL for State Park purposes only. It was an Executive Order for State Parks.

\*Community Concern: Overnight; camping & lodging...?

\*Community Concern: Could be an Ahupua'a Ko'olaupoko (Hawaii Kai to Kualoa) meeting place for Cultural Practitioners to gather. Intent to bring more people.

\*Community Concern: Doesn't require a building for Cultural Practitioners. Concessions?; Slope Parking? Traffic Study? Where's the EIS? Infrastructure concerns... Septic Tanks? Will refer to DOFAW management.

Cultural Practitioners Complex and Iwi Kupuna- Across transfer Station

State Parks allow buildings.

Kailua NHB Planning, Zoning and Environment Meeting 9-17-13; page 5

Cultural Practice Hale: Kalaheo High School Canoe Club will provide security and maintain their area to store their canoes and for the bridge and where they will launch their canoes into the canal (?) – not the stream. Possible Orientation Center-Yes or No?. Kalaheo School will take the Stewardship. Kailua High School as well. \*Community Concern: Run off from the launch and fertilizers into the canal and stream and marsh. HHFPI: Will follow DLNR and DOFAW Best Management Practices (BMPs)

\*Community Concern: Motor Cycles around perimeter. HHFPI: That's on the C&C of HNL Property.

\*Community Concern: How much will the 2 bridges cost? The Fish Pond's bridge and the Kalaheo High School bridge. HHFPI will get back to them.

Deadline for Comments is October 30, 2013. If there's a change of date, it will be posted on their website on the page of the comment form. The EIS application will be at the end of this year 2013.

Sustainability comes later.

Process: 3 meetings; Comments; EIS; Kailua Neighborhood Board Regular Meeting Presentation; City Council of Honolulu Public Hearings; State Land Board Public Hearing

Google Search: Kawainui-Hamakua Complex Master Plan; Look for and Click on Conceptual Plan

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**Ronald Sato**

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**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 12:56 AM  
**To:** Paulette Tam  
**Subject:** Fwd: Kawainui Marsh Improvements and Subdivision of the Model Airplane Field : CDUP OA-3068 Sunset Jan. 22, 2022  
**Attachments:** K-OCCL-Submittals-K1(1).PDF

**Re: EISPN: Environmental Impact Statement Preparation Notice - For Title Project DLNR/ Kawainui-Hamuakua Master Plan - Part Fourteen Kawainui Marsh Improvements and Subdivision of the Model Airplane Field: CDUP OA-3068 Sunset Jan. 22, 2022.**

FYI confidential thoughts and information intended only for the recipient and for educational purposes.

----- Forwarded message -----

**From:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
**Date:** Mon, Oct 14, 2013 at 3:54 PM  
**Subject:** Kawainui Marsh Improvements and Subdivision of the Model Airplane Field : CDUP OA-3068 Sunset Jan. 22, 2022  
**To:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

Time Extension Request for Conservation District Use Permit CDUP OA-3068 for Kawainui Marsh Improvements DOFAW May 11, 2012

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STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
OFFICE OF CONSERVATION AND COASTAL LANDS  
Honolulu, Hawaii  
May 11, 2012

CDUP: OA-3068

Board of Land and  
Natural Resources  
State of Hawaii  
Honolulu, Hawaii

**REGARDING:**

Time Extension Request for Conservation District Use  
Permit (CDUP) OA-3068 for Kawaiui Marsh  
Improvements

**APPLICANT:**

Division of Forestry & Wildlife

**LANDOWNER:**

State of Hawaii  
Department of Land and Natural Resource  
Division of Forestry and Wildlife

**LOCATION:**

Tax Map Key:  
Kailua, Koolauopoko, Oahu  
(1) 4-2-013:005 & 022  
(1) 4-2-016

**AREA OF USE:**

Approximately (±) 680 Acres

**SUBZONE:**

Protective

**BACKGROUND:**

On January 25, 2002, the Board of Land and Natural Resources (Board) approved CDUP OA-3068 for Kawaiui Marsh Improvements and Subdivision of the Model Airplane Field subject to 15 conditions (Exhibit 1). Since then, efforts to manage Kawaiui have been progressing: the State has acquired the property from the City and Executive Orders 4128 in 2005, 4201 in 2007 and 4258 in 2009 set aside over 700 acres to the Division of Forestry and Wildlife for their management as a wildlife sanctuary.

Restorative and improvement efforts conducted include: a test well and test pond; road repairs; gate installation; land boundary surveys; archeological mitigation plan with field verification and flagging; wetland designation by the Natural Resource Conservation Service; preparation of a Best Management Practices Plan, Water Quality Monitoring Plan; preparation of the Section 401 Water Quality Certification package and clearing of non-native species (on-going).

In addition, the Corps of Engineers is currently implementing the Kawaiui Marsh Environmental Restoration Project that consists of 11 terraced shallow ponds, an earthen berm system accessible to maintenance vehicles, and a water supply system to the ponds (solar-powered well pumps and water level control structures). The majority of the work will take place this summer during the dry season.

Further, DOFAW has recently received State funding and started work in 2011 to update the master plan for the entire Kawaiui-Hamakuia Marsh complex and to implement further restoration improvements.

**TIME EXTENSION REQUEST:**

Condition #5 of CDUP OA-3068 states that all work and construction must be completed within ten years of the approval. By correspondence dated April 10, 2012, the Division of Forestry and Wildlife is requesting a time extension of 10-years to CDUP OA-3068. As noted, *"There is considerable community interest associated with Kawaiui Marsh needing to be properly addressed, and there is compliance with several layers of Federal, State, and City environmental and permitting regulations. Completing compliance with environmental and permitting regulations has subsequently taken a substantial amount of time contributing to delays in completing improvements within the initial 10-year timeframe" (Exhibit 2).*

**AUTHORITY FOR GRANTING TIME EXTENSIONS:**

The authority for the granting of time extensions is provided in §13-5-43 of the Hawaii Administrative Rules (HAR), which allows for permittees to request time extensions for the purpose of extending the period of time to comply with the conditions of a permit.

Additionally, HAR, §13-5-43(e) states: "If a time extension request is received after the expiration deadline, it shall be forwarded to the board for review."

**BASIS FOR TIME EXTENSIONS:**

A time extension may be sought when a Permittee is unable to initiate or complete a project within the stipulated time frame. The Board grants time extensions when a Permittee demonstrates some sort of hardship or delay in initiating work on a particular project. Moreover, the Permittee should be able to demonstrate that the hardship or delay has not been self-imposed and that some good faith effort has been made to undertake the project.

**DISCUSSION:**

In the present case, none of these factors suggest any reason to deny the requested time extension. Overall compliance with permit conditions has been achieved. Condition #4 that states, *"The Kawaiui Marsh Advisory Council shall be reestablished within six months of the Board's approval of the use to ensure ongoing input from the community."*



has been modified as *Hoolaulima Ia Kawainui*, a coalition of community groups who have been involved in issues and actions for Kawaiunui Marsh has been assisting with planning, restoration and stewardship.

Staff notes the primary objectives of CDUP OA-3068 were 1) to provide a comprehensive and coordinated management plan for existing and future land and water uses; 2) to protect, maintain and enhance wildlife species, their habitats and related ecological systems; and 3) Protect, preserve and enhance cultural, educational and recreational values. CDUP OA-3068 also allows for plans for the future of the marsh to be developed, changed and implemented pursuant to plan goals and objectives.

In regards to carrying out these objectives, it appears that environmental compliance, land use regulations and availability of funds is a determining factor for the timeline of implementation. Much progress has been made, on-going activities and proposed improvements are ready to be implemented and the draft Environmental Assessment for the Kawaiunui Marsh Wetland Restoration and Habitat Enhancement has been recently published. Staff believes that a ten year time extension to implement Kawaiunui Marsh improvements is a reasonable request. However staff would like to remind project managers that periodical reports of progress made on all phases of the project should be reported back to the Board in accordance with condition #12.

#### RECOMMENDATION:

That the Board of Land and Natural Resources **APPROVE** an extension to January 22, 2022 to complete implementation of improvements to Kawaiunui Marsh, subject to the following conditions:

1. That condition 5 of CDUA OA-3068 is amended to provide that the Permittee has until January 22, 2022 to complete any work or construction to be done on the land; and
2. That all other conditions imposed by the Board under CDUP OA-3068, as amended, shall remain in effect.

Respectfully submitted,

  
K. Tiger Mills, Staff Planner  
Office of Conservation and Coastal Lands

Approved for submittal:

  
William J. Alla, Jr., Chairperson  
Board of Land and Natural Resources



#### STATE OF HAWAII DEPARTMENT OF LAND AND NATURAL RESOURCES

P.O. BOX 521  
HONOLULU, HAWAII 96809

REF: PB, TC

#### MEMORANDUM

TO: Harry Yada, Acting Administrator  
Land Division

FROM: Gilbert S. Coloma-Agaran, Chairperson 

SUBJECT: Conservation District Use Application (CDUA) OA-3068B by the Department of Land and Natural Resources for the Kawai Nui Marsh Improvements, Kailua, Oahu

I am pleased to inform you that the Board of Land and Natural Resources on January 25, 2002, APPROVED the application for Kawai Nui Marsh Improvements and Subdivision of the Model Airplane Field, subject to the following conditions:

1. The applicant shall comply with all applicable statutes, ordinances, rules, and regulations of the federal, State and county governments, and the applicable parts of Section 13-5-42, HAR;
2. The applicant shall comply with all applicable Department of Health administrative rules;
3. Before proceeding with any work authorized by the Board, the applicant shall submit four copies of the construction plans and specifications to the Chairperson or his authorized representative for approval for consistency with the conditions of the permit and the declarations set forth in the permit application. Three copies will be returned to the applicant. Plan approval by the Chairperson does not constitute approval required from other agencies;
4. The Kawai Nui Marsh Advisory Council shall be reestablished within six (6) months of the Board's approval of the use to ensure ongoing input from the community;
5. Any work or construction to be done on the land shall be initiated within three years of the approval of such use, in accordance with construction plans that have been approved by the Department; further, all work and construction must be completed within ten years of the approval;
6. The applicant shall notify the Land Division in writing prior to the initiation, and upon completion, of the project;

EXHIBIT 1



7. All mitigation measures set forth in the application materials, in the Final Environmental Assessment, and conditions to the SMA Permit for this project are hereby incorporated as conditions of the permit;
8. Where any interference, nuisance, or harm may be caused, or hazard established by the use, the applicant shall be required to take measures to minimize or eliminate the interference, nuisance, harm, or hazard;
9. The applicant understands and agrees that this permit does not convey any vested rights or exclusive privilege;
10. In issuing this permit, the Department and Board have relied on the information and data that the applicant has provided in connection with this permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Department may, in addition, institute appropriate legal proceedings;
11. In the event that unrecorded historic remains (i.e., artifacts, or human skeletal remains) are inadvertently uncovered during construction or operations, all work shall cease in the vicinity and the applicant shall immediately contact the State Historic Preservation Division;
12. The applicant or Project Manager shall, in two years and periodically thereafter, report back to the Board on the progress made on all phases of the project. The Kawai Nui Marsh Advisory Council shall be invited to participate in the presentations;
13. Other terms and conditions as may be prescribed by the Chairperson; and
14. That failure to comply with any of these conditions may render this Conservation District Use Permit null and void.
15. Any projects that the Department wishes to implement that are beyond or outside the scope of the approved County Special Management Area Use Permit for the project shall be presented before the Board of Land and Natural Resources in a briefing.

Please contact Traver Carroll of our Planning Branch at 587-0439 should you have any questions.

c: Board Members  
 DAR/SP/DOFAW/NAH/DOCARE/HPD/CWRM/LD(ODLO,EB)  
 DOH/OHA/DBEDT(OP)  
 City and County of Honolulu, Department of Planning and Permitting  
 City and County of Honolulu, Department of Parks and Recreation  
 Kailua Neighborhood Board  
 Army Corps of Engineers, Honolulu District  
 Lani-Kailua Outdoor Circle, P.O. Box 261, Kailua, HI 96734  
 Hawaii's 1000 Friends, 305 Habani St., Suite 282, Kailua, HI 96734

SEAL ABBREVIATION  
 DEPARTMENT OF LAND AND NATURAL RESOURCES



2-7-12



STATE OF HAWAII  
 DEPARTMENT OF LAND AND NATURAL RESOURCES  
 POST OFFICE BOX 621  
 HONOLULU, HAWAII 96809

RECEIVED  
 CITY OF HAWAII  
 DEPARTMENT OF LAND AND NATURAL RESOURCES  
 WILLIAM J. AILA, JR.  
 CHAIRPERSON  
 BOARD OF LAND AND NATURAL RESOURCES  
 2012 APR 13 AM 11:12  
 WILLIAM J. AILA, JR.  
 CHAIRPERSON  
 BOARD OF LAND AND NATURAL RESOURCES  
 HONOLULU, HAWAII 96809

April 10, 2012

Mr. William J. Aila, Jr., Chairperson  
 Board of Land and Natural Resources  
 Department of Land and Natural Resources  
 P.O. Box 621  
 Honolulu, Hawaii 96809

Subject: Conservation District Use Application OA-3068B for Kawai Nui Marsh Improvements, Kailua, Oahu, Hawaii

Dear Mr. Aila, Jr.:

The State of Hawaii's Department of Land and Natural Resources (DLNR), Division of Forestry and Wildlife (DOFAW) is requesting a time extension to Conservation District Use Permit (CDUP) OA-3068B for Kawai Nui Marsh Improvements. This CDUP was approved by the Board of Land and Natural Resources (BLNR) on January 25, 2002, and Condition No. 5 required all construction work to be completed within 10 years of approval (January 25, 2012).

The Applicant under the CDUP application was the State DLNR, Land Division. However, jurisdiction over much of this marsh area has since been designated to the DOFAW for its management as a wildlife sanctuary and implementation of improvements. After coordinating with the Land Division, DOFAW is the more appropriate agency to take over responsibility for compliance with this CDUP OA-3068B, and is thus requesting a time extension.

Efforts to restore and improve Kawai Nui Marsh as authorized under OA-3068B have been progressing since 2002 and are continuing. Therefore, this is the first request for a time extension of the Board permit. Under the DLNR's §13-5-43(b), Hawaii's Administrative Rules, a time extension can be granted of up to two years. However, the DOFAW is requesting the BLNR's consideration in granting a time extension of 10 years instead of just 2 years.

This request is due to the unique circumstances associated with Kawai Nui Marsh, the level of restoration and other improvements planned for implementation, compliance with environmental

EXHIBIT 2

and land use regulations, and availability of funds to implement improvements. Further details and information justifying this time extension request is provided.

#### **Justification for Time Extension**

Kawainui Marsh is a unique natural and cultural resource that is part of the larger Kawainui-Hāmākua Marsh Complex, which was designated a Ramsar Convention Wetland of International Importance in 2005. There is considerable community interest associated with Kawainui Marsh needing to be properly addressed, and there is compliance with several layers of Federal, State, and City environmental and permitting regulations. Completing compliance with environmental and permitting regulations has subsequently taken a substantial amount of time contributing to delays in completing improvements within the initial 10-year timeframe.

The U.S. Corps of Engineers (COE) and State DOFAW needed to prepare a Supplemental Environmental Assessment for the Kawainui Marsh Ecosystem Restoration Project that was initiated in 2007 and completed in January 2009. This was required because the original project, based upon an Environmental Assessment completed in 2000, needed to be decreased in scope to meet Federal funding constraints. Other permits have since been obtained, and a project partnership agreement signing ceremony between the COE and DOFAW was held in June 2011. Construction work is now planned to start in June 2012.

Most of the approximately 680-acre area was owned by the City under the CDUP approved in 2002. Since then, it has taken time for the State DLNR to acquire the property and to designate jurisdiction and management of the property. Most of this marsh property was recently set aside to the DOFAW for their management along with establishing it as a Wildlife Sanctuary as summarized below:

1. Executive Order 4128 set aside about 9 acres of the marsh to the DOFAW for their management in October 2005.
2. Executive Order 4201 set aside about 97 acres of the marsh to the DOFAW for their management as a wildlife sanctuary in October 2007.
3. Executive Order 4258 set aside about 693 acres of the marsh to the DOFAW for their management as a wildlife sanctuary in January 2009.

Obtaining funding to implement improvements has also taken time given the State's economic situation over the past several years. DOFAW initiated efforts to obtain alternative sources of funding, and they were awarded a coastal grant in January 2006 from the U.S. Fish and Wildlife Service (FWS) for restoration improvements, which included considerable participation from private partners. DOFAW has recently received State funding and started work in 2011 to update the master plan for the entire Kawainui-Hāmākua Marsh Complex and implement further restoration improvements. DOFAW is actively working with the Administration and Legislature to obtain future funding to continue implementing improvements to this marsh complex.

Therefore, DOFAW would like to request a time extension of 10 years making the new completion date January 25, 2022, and believes this request is justified. There are several improvement plans underway or starting construction that will extend beyond two years (January

2014). The COE's pond restoration project starting this year should be completed in 2013. However, restoration improvements implemented under the FWS grant will likely start by the end of 2012 and continue for several years (>4 years). Finally, DOFAW's most recent project updating the master plan, environmental documentation, and permitting would occur in 2013. DOFAW would then pursue implementing further restoration efforts and other improvements from that plan that would occur over several years.

It would also not be an efficient or prudent use of DOFAW personnel time to have to request another inevitable time extension within only two years. Consequently, DOFAW would appreciate the BLNR's consideration of this longer time extension request at this time.

If you have any questions, please contact Mr. David Smith of the State DLNR, Division of Forestry and Wildlife at 973-9787.

Sincerely,



Paul J. Conry  
Administrator  
Division of Forestry and Wildlife

**Ronald Sato**

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**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 12:58 AM  
**To:** Paulette Tam  
**Subject:** Fwd: Kailua HCC - Ulupo Heiau meeting minutes.  
**Attachments:** 20131219\_214502\_3\_bestshot.jpg

**Re: EISPN: Environmental Impact Statement Preparation Notice -  
For Title Project DLNR/ Kawainui-Hamuakua Master Plan - Part  
Fifteen Kailua Hawaiian Civic Club Minutes.**

FYI confidential thoughts and information intended only for the recipient and for educational purposes.

----- Forwarded message -----

**From:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
**Date:** Mon, Oct 3, 2016 at 8:59 AM  
**Subject:** Kailua HCC - Ulupo Heiau meeting minutes.  
**To:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

20131219\_214502\_3\_best pdf

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→ not well reflected which is separate

- Masterston made a motion that up to \$900 be budgeted for the meals for delegates; second by Ogawa; motion carried. It was also noted that more information should be available by the October meeting to evaluate costs and what the club can support.
- Kaimana indicated that he is trying to cover his own lodging expenses.
- Shauman Ellison recommended that future budgets address an item for the convention. Masterston suggested that the club may need to evaluate what costs can be covered each year based on the funds available.
- Kaimana reported that AOHCC has requested email addresses of members for accounting purposes. Concerns were raised about privacy and potential misuse.

b. Ho'ike. The discussion noted that no arrangements had been made and the October date was fast approaching. In addition, the low number of volunteers made it difficult to proceed with the Ho'ike in 2013. Therefore, it was agreed by those present to cancel the Ho'ike and to recognize volunteers at the holiday gathering in December.

c. Parades. Kaimana said AOHCC will have a trolley in Aloha Festival Parade and members are invited to ride along. The club will not have a separate vehicle this year.

d. Ulupo Helau. Burrows reported on the following:

- Special workday on September 21 with 100+ volunteers from HBCO. Masterston asked about safety measures. Burrows responded that HBCO has their own first aid equipment and is bringing in a portable toilet for the day. Burrows asked for 10 volunteers to assist with this event.
- Burrows expressed a concern that AML is not doing enough to keep the wetland open. Yent noted that the wetland is under DOFAW and the right-of-entry (ROE) permit from DOFAW has only been issued to AML. Therefore, KHCC needs to coordinate all work with AML and also consult with DOFAW about work in the wetland.
- Burrows drafted a letter to the YMCA requesting their support with lunches for WCCC. He has not received a response to-date and hopes to meet with the new director of the Windward YMCA facility soon.
- Burrows wants to move forward with the Ulupo Helau Cultural Resources Management and Landscape (CRM) Plan. Yent said the plan has been distributed to the kalo hui but we need to follow-up with a meeting to get their input. Yent also shared a copy of the plan with Helber Hastert and Fee for incorporation into the Kawaihuli Master Plan Update. Masterston recommended a meeting of curators, YMCA and others working at the site. He also offered to serve as a liaison with AML. Kame suggested a discussion with Hanalei Helela over a bowl of awa to better understand areas of work. Masterston said he would follow-up and set-up a meeting with AML.
- Masterston and Burrows indicated that they will start planning now for a HTA grant application in 2014 to carry out aspects of the CRM plan. Masterston said he also spoke with Hawai'i Maoli about potential grants and the need for the club to move toward self-sustaining programs. This means more members need to come out to workdays.
- Burrows inquired if the club would consider some funding support for Kimo Tully who has been putting in many hours to cut vegetation. Masterston asked if donations exceeding \$600 annually has to be reported to the IRS. There was also a question about insurance and liability.

→ not well reflected which is separate

**Ronald Sato**

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**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 1:02 AM  
**To:** Paulette Tam  
**Subject:** Fwd: Kawainui-Hamakua Marshes District Representatives 2012 Election Maps Kailua: A Closer Look and Review of the FSEA Appendix A; US Army Engineer District, Honolulu, A-68  
**Attachments:** OAHU13.pdf

**Re: EISPN: Environmental Impact Statement Preparation Notice - For Title Project DLNR/ Kawainui-Hamuakua Master Plan - Part Sixteen Kawainui-Hamakua Marshes District Representatives 2012 Election Maps Kailua: A Closer Look and Review of the FSEA Appendix A; US Army Engineer District, Honolulu, A-68.**

FYI confidential thoughts and information intended only for the recipient and for educational purposes.

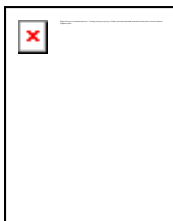
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**From:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
**Date:** Sat, Oct 12, 2013 at 9:03 AM  
**Subject:** Kawainui-Hamakua Marshes District Representatives 2012 Election Maps Kailua: A Closer Look and Review of the FSEA Appendix A; US Army Engineer District, Honolulu, A-68  
**To:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>



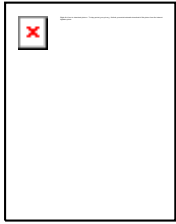
Representative  
[Lee](#), Chris (D)  
Hawaii State Capitol, Room 436  
Phone [808-586-9450](tel:808-586-9450)  
Fax [808-586-9456](tel:808-586-9456)  
E-Mail:  
[repclee@capitol.hawaii.gov](mailto:repclee@capitol.hawaii.gov)

H District 51  
Kailua, Waimanalo



Representative  
[Ito](#), Ken (D)  
Hawaii State Capitol, Room 432  
Phone [808-586-8470](tel:808-586-8470)  
Fax  
E-Mail:  
[repito@capitol.hawaii.gov](mailto:repito@capitol.hawaii.gov)

H District 49  
Kaneohe, Maunawili, Olomana



Senator

[Tokuda](#), Jill N. (D)

Hawaii State Capitol, Room 218

Phone [808-587-7215](tel:808-587-7215)

Fax [808-587-7220](tel:808-587-7220)

E-Mail:

[sentokuda@capitol.hawaii.gov](mailto:sentokuda@capitol.hawaii.gov)

S District 24

Kane'ohe, Kane'ohe MCAB, Kailua, He'eia, 'Ahuimanu



Representative

[Thielen](#), Cynthia (R)

Hawaii State Capitol, Room 443

Phone [808-586-6480](tel:808-586-6480)

Fax [808-586-6481](tel:808-586-6481)

E-Mail:

[repthielen@capitol.hawaii.gov](mailto:repthielen@capitol.hawaii.gov)

H District 50

Kailua, Kaneohe Bay

Zoom to 50% of the Attachment: OAHU13.pdf 2012 Election Legislators Map of Kailua

From the map it looks like Rep. Chris Lee 51 Ulupo Heiau; Pohakupu and Rep. Ken Ito 49 Olomana districts are divided by Kalaniana'ole Hwy nearest Hamakua Marsh.

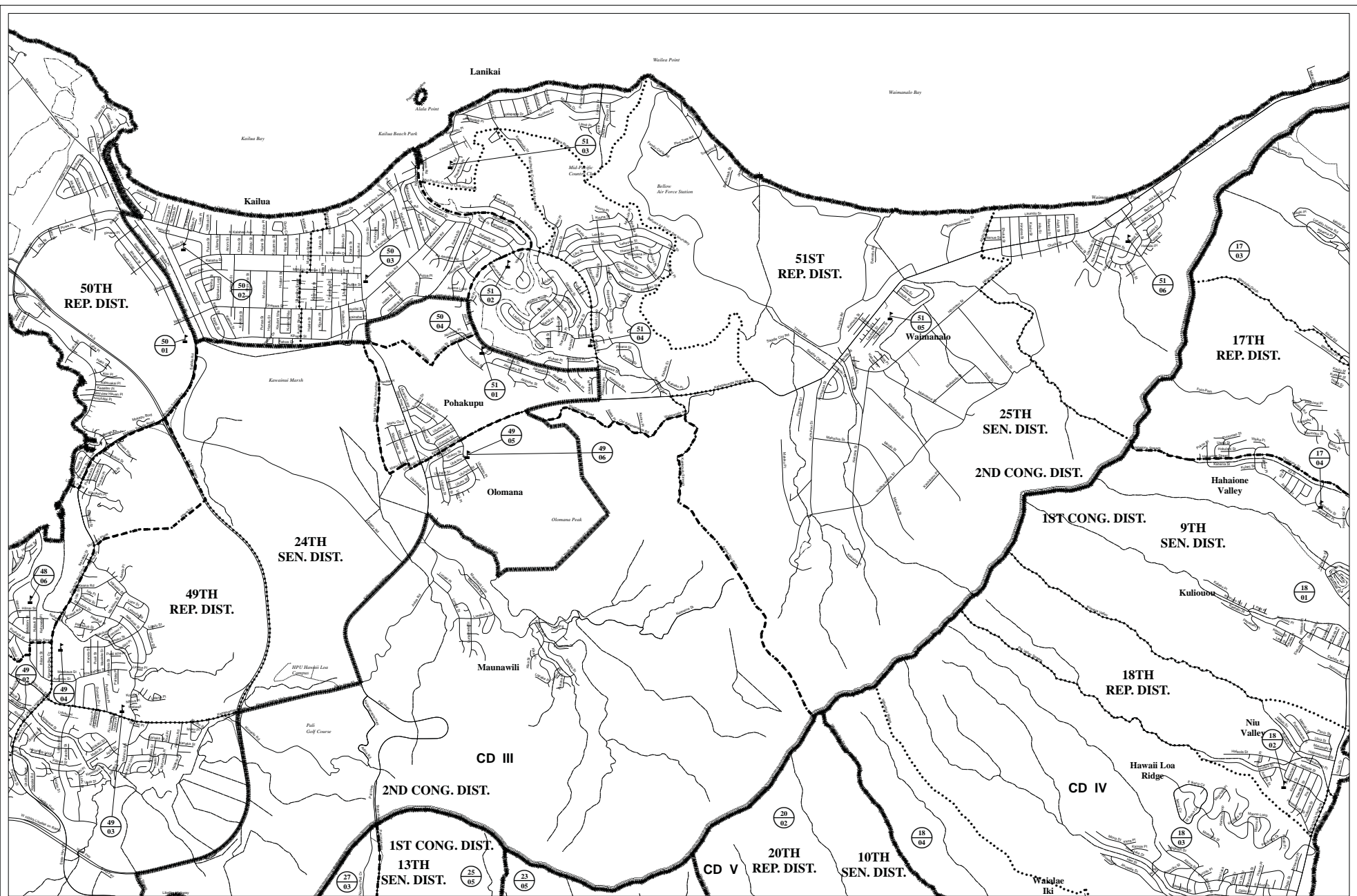
Na Pohaku O Hauwahine, Pahukini and Holomakani Heiaus are in Sen. Jill Tokuda's District 24 nearest Kawainui Marsh.

Kaha Park is in Rep. Cynthia Thielen 50 district between Kawainui Marsh and Kailua Bay; and a tip of Hamakua Marsh.

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This message has been scanned for viruses and dangerous content using [Worry-Free Mail Security](#), and is believed to be clean. [Click here to report this message as spam.](#)





STATE OF HAWAII  
ELECTION MAP

REGIONAL MAP (Kailua - Waimanalo)

**OAHU #13**  
CITY AND COUNTY OF HONOLULU

CONGRESSIONAL DISTRICT: 1ST\* - 2ND\*  
SENATORIAL DISTRICT: 9TH\* - 11TH\* ; 24TH\* - 25TH\*  
REPRESENTATIVE DISTRICT: 17TH\* - 18TH\* ; 20TH\* ; 23RD\* ; 25TH\* ; 27TH\* ; 48TH\* - 51ST\*  
COUNCIL DISTRICT: III\* - VI\*  
\* Portion of

OFFICE OF ELECTIONS  
May 2012  
June 2012

LEGEND

Congressional District Boundary

Senatorial District Boundary

Representative District Boundary

Council District Boundary

Precinct Boundary

Polling Place

Representative District

Precinct

Council District

POLLING PLACES

17TH REPRESENTATIVE DISTRICT  
1. Kaniolu Elem Sch  
2. Kaniolu Elem Sch  
3. Kaniolu Elem Sch

20TH REPRESENTATIVE DISTRICT  
2. Anuenue Sch

27TH REPRESENTATIVE DISTRICT  
3. Maunaloa Elem Sch

48TH REPRESENTATIVE DISTRICT  
6. Puuhala Elem Sch

51ST REPRESENTATIVE DISTRICT  
1. Kalaheo High Sch  
2. Kalaheo Elem Sch  
3. Kalaheo Elem Sch  
4. Kalaheo Elem Sch  
5. Kalaheo Elem Sch  
6. Kalaheo Elem Sch

49TH REPRESENTATIVE DISTRICT  
2. Kapiolani Elem Sch  
3. Kapiolani Elem Sch  
4. Kapiolani Elem Sch  
5. Kapiolani Elem Sch  
6. Kapiolani Elem Sch

50TH REPRESENTATIVE DISTRICT  
1. Kapiolani Elem Sch  
2. Kapiolani Elem Sch  
3. Kapiolani Elem Sch  
4. Kapiolani Elem Sch  
5. Kapiolani Elem Sch  
6. Kapiolani Elem Sch

**Ronald Sato**

---

**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 1:06 AM  
**To:** Paulette Tam  
**Subject:** Fwd: Kawainui Marshes' Research Project - Reference Resource PDF files 2005-2012  
**Attachments:** 050415\_HA\_Kawainui.pdf; K-OCCL-Submittals-K1.PDF; C-FW-Submittals-C3.pdf; Ramsar\_UNWTO\_tourism\_E\_Sept2012.pdf

**Re: EISPN: Environmental Impact Statement Preparation Notice - For Title Project DLNR/ Kawainui-Hamuakua Master Plan - Part Seventeen Kawainui Marshes' Research Project - Reference Resource PDF files 2005-2012.**

FYI confidential thoughts and information intended only for the recipient and for educational purposes.

----- Forwarded message -----

**From:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
**Date:** Thu, Oct 13, 2016 at 1:53 AM  
**Subject:** Kawainui Marshes' Research Project - Reference Resource PDF files 2005-2012  
**To:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

05415\_HA\_Kawainui.pdf (73): Total 1 Page in Color and Black Ink:  
Honolulu Advertiser "Marshes' importance recognized - Monday, April 25, 2005 - By Jan TenBruggencate

K-OCCL-Submittals-K1.PDF: Total 8 pages:  
CDUP-OA-3068: Time Extension Request for Conservation District Use Permit (CDUP) OA-3068 for Kawainui Marsh Improvements.

C-FW-Submittals-K1.PDF: Total 15 Pages:  
State of Hawaii Department of Land and Natural Resources (DLNR); Department of Forest and Wildlife (DOFAW), May 11, 2012; Board of Land and Natural Resources (BLNR); Tax Map Key: (1) 4-2-016; 015; (1) 4-2-013; 022; and 005

RAMSAR\_UNWTO\_tourism\_E\_SEPT2012: Total 80 Pages in Color and Black Ink: Destination Wetlands; Supporting Sustainable Tourism.

FYI confidential thoughts and information intended only for the recipient and for educational purposes.

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Forestry and Wildlife  
1151 Punchbowl St. Rm 325, Honolulu HI 96813

May 11, 2012

Board of Land and Natural Resources  
State of Hawaii  
Honolulu, Hawaii

Issuance of Management Right-of-Entry to Ahahui Malama I Ka Lokahi, Kailua, Koolauopo, Oahu, Tax Map Key: (1) 4-2-016: 015; (1) 4-2-013: 022 and 005

OAHU

APPLICANT:

Aha Hui Malama I Ka Lokahi, a domestic nonprofit corporation

LEGAL REFERENCE:

Section 171-13, 43.1, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands situated at Kailua, Koolauopo, Oahu, identified by Tax Map Key: (1) 4-2-016: 015; (1) 4-2-013: 022 and 005, as shown on the attached map labeled **Exhibit A**.

AREA:

800 acres, more or less.

ZONING:

State Land Use District: Conservation  
City & County of Honolulu LUO: P1/P2

TRUST AND LAND STATUS:

Acquired after Statehood, i.e. non-ceded.

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Encumbered by Governor's Executive Order No. 4258 setting aside to the Division of Forestry and Wildlife for Habitat Restoration and Marsh Wildlife Sanctuary purposes.

CHARACTER OF USE:

Right, privilege and authority to enter, remain to conduct restoration, educational and other cooperative management programs with the Division of Forestry and Wildlife

CONSIDERATION:

Gratis. See Remarks Section.

CHAPTER 343 – ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Sections 11-200-8(a)(1) & (4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "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" (See **Exhibit B**)

DCCA VERIFICATION:

|                                           |              |             |
|-------------------------------------------|--------------|-------------|
| Place of business registration confirmed: | YES <u>x</u> | NO <u>—</u> |
| Registered business name confirmed:       | YES <u>x</u> | NO <u>—</u> |
| Good standing confirmed:                  | YES <u>x</u> | NO <u>—</u> |

APPLICANT REQUIREMENTS: Applicant shall be required to:

1. Provide a summary of proposed action actions. Coordinate actions and activities with DOFAW (**Exhibit C**)
2. Upon issuance of the permit, applicant shall submit a report of activities to DOFAW staff on a monthly basis.

REMARKS:

Aha Hui Malama I Ka Lokahi (AML), a community group based in Kailua, Oahu and whose mission is to aid in the restoration and management of the resources in Kawaiui Marsh, is requesting a permit to enter Kawaiui Marsh. In 2010, AML entered into a Memorandum of Agreement with the Board of Land and Natural Resources regarding "Cooperative Management Programs at Kawaiui and Hamakua Marshes". The MOA (see **Exhibit D**) recognizes AML as a relevant, responsible group, whose mission is applicable to the management of Kawaiui Marsh. The MOA also establishes AML's

ITEM C-3



working relationships with other Divisions, community and school groups as key to the long-term goals for Kawaiinui Marsh restoration.

The MOA establishes responsibilities for both the BLNR and AML, in order to conduct necessary actions to manage Kawaiinui Marsh. The proposed Right-of Entry Permit provides the legal document necessary to allow AML to enter and operate on lands owned and managed by the Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW).

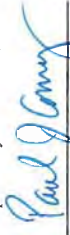
The Division of Forestry and Wildlife, Oahu Branch, has been working with AML to establish programs and protocols as directed to by the MOA. AML's proposed actions are consistent with DOFAW management operations, as it provides assistance and increases DOFAW capabilities to restore the natural, biological, and cultural resources in Kawaiinui Marsh. The permit will allow AML to conduct ecological restoration by reducing the presence of invasive species, and increasing the presence of native species. AML will also have the ability to conduct educational and outreach programs to school and community groups. They will also provide opportunities to increase cultural awareness and activities appropriate at Kawaiinui Marsh.

All activities conducted under this permit will be monitored by DOFAW staff to ensure that environmental compliance is followed. Under the terms of the proposed right-of-entry, AML is responsible for consulting with, and following the recommendations of DOFAW staff to ensure environmental compliance protocols are followed. DOFAW staff will meet regularly with AML board to gather information and provide technical assistance on project/work proposals.

RECOMMENDATION: That the Board:

1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, the disposition will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the issuance of a management right-of-entry to Ahahui Malama I Ka Lokahi, covering the subject area for access purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
  - A. The standard terms and conditions of the most current right-of-entry document from, as may be amended from time to time;
  - B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

  
Paul J. Conry, Administrator

APPROVED FOR SUBMITTAL:

  
William J. Aila, Jr., Chairperson



EXHIBIT A

EXEMPTION NOTIFICATION

regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Ahahui Malama I Ka Lokahi right-of-entry

Project / Reference No.: Not applicable

Project Location: Kailua, Koolaupoko, Oahu, Tax Map Key: (1) 4-2-016: 015; (1) 4-2-013: 022 and 005

Project Description: Issuance of right-of-entry

Chap. 343 Trigger(s): Use of State Land

Exemption Class No.: In accordance with Hawaii Administrative Rule Sections 11-200-8(a)(1) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991 the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "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."

Staff will consult and review any projects undertaken under this right-of-entry. Therefore it is recommended that the subject request be exempted from an environment assessment.

Consulted Parties Not applicable

Exemption Item Description from Agency Exemption List: Not applicable

Recommendation: It is recommended that the Board declare that this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

William J. Aila, Jr., Chairperson

Date



**BOARD OF DIRECTORS**  
Charles Isaacs, Co-President  
Dr. Charles Burrows, Co-President  
Bon Walker, Vice-President  
Sandy Adamson, Treasurer  
Dr. Sam Gon III, Secretary  
Dr. Steve Montgomery, Member at Large  
Darcy Oishi, Member at Large  
**OFFICE**  
146 Heuli Street, Suite 204A  
Kalihi, HI 96734

April 11, 2012

Mr. Jason Misaki  
Division of Forestry and Wildlife  
O'ahu Branch  
2135 Makiki Heights Drive  
Honolulu, HI 96822

This letter is in response to your letter to the 'Ahahui Mālama I ka Lōkahi (AML) Board of Directors (BOD) dated March 3, 2012. In compliance with the existing Memorandum of Agreement with the Board of Land and Natural Resources in regards to the Kawaiinui Marsh State Wildlife Sanctuary, we are formally requesting a Right-of-Entry permit to grant us legal access to the Sanctuary and honor our responsibilities as agreed upon by the MOA. This request is being made on behalf of the BOD for the time period of May 1, 2012 to April 30, 2013. We are formally requesting a Right-of-Entry permit to conduct the following work in the Kawaiinui Marsh State Wildlife Sanctuary:

- Education,
- Conservation and management, and
- Subsistence, traditional and customary practices by native Hawaiians consistent with the long-term preservation of the wildlife sanctuary resources

This will be accomplished by:

Conducting period educational tours of the marsh area highlighting the wildlife biota of the marsh, the cultural/historical significance of the marsh, the role the marsh plays in the watershed system, and the threats posed to the marsh. Impacts to native birds and other species will be mitigated by conducting these tours away from nesting sites.

Conservation management will be conducted in the areas near and around Ulupō Heiau and Nā Pōhaku o Hauwahine. This will be done through mechanical and manual removal of weeds infesting the marsh area and, once permitting issues with the Department of Health Clean Water Branch have been resolved, careful application of pesticides in accordance with all applicable Federal, State and County rules and regulations. Removal of the floating weed-grass mud layers will be done to increase the open water and mudflat surface areas of the wetland ponds. All work will be performed with proper protective equipment in compliance with AML's safety protocols. All individuals conducting work in the marsh will sign liability waivers. Potential environmental impacts will be reduced by conducting work within the marsh at sites highlighted in the included

maps. If native birds begin utilizing the area then work will be conducted in a manner that will minimize disturbance of the birds. No work will be conducted in the marsh habitat near nesting birds.

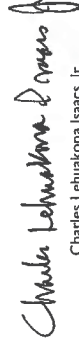
Cleared areas within the marsh in the highlighted areas near Ulupō heiau will be converted into lo'i kalo. The lo'i kalo will be used for education and subsistence. Harvested kalo will not be sold. The lo'i will be constructed from materials dredged from the marsh itself with water supplied from the springs located at Ulupō Heiau which pass through the lo'i kalo and into the marsh.

We have attached maps of the Kawaiinui Marsh State Wildlife Sanctuary that we intend to work in.

For your information, AML currently has executed Curator Agreements with the DLNR/State Parks for the following locations at Kawaiinui: 1- Nā Pōhaku o Hauwahine and, 2- Ulupō Heiau.

Mahalo for your consideration

Sincerely yours,

  
Charles Lehuakona Isaacs Jr.

Co-President, AML BOD

  
Dr. Charles Burrows

Co-President, AML BOD

Enclosures: Maps of proposed AML work areas within Kawaiinui State Wildlife Sanctuary





**MEMORANDUM OF AGREEMENT  
BETWEEN  
'AHAHUI MALAMA I KA LOKAHI  
AND THE  
STATE OF HAWAII  
BOARD OF LAND AND NATURAL RESOURCES  
REGARDING COOPERATIVE MANAGEMENT PROGRAMS  
AT KAWAINUI AND HAMAKUA MARSHES, OAHU**

This Memorandum of Agreement ("Agreement") is made the 31st day of April, 2009, by and between 'Ahaui Malama I Ka Loka, hereinafter referred to as "AML", and the State of Hawaii, by its Board of Land and Natural Resources hereinafter referred to as the "Board." AML and the Board are jointly referred to as the "Parties."

**WITNESSETH**

WHEREAS, pursuant to section 183D-2, Hawaii Revised Statutes (HRS), Board is charged with the responsibility of managing and administering the wildlife and wildlife resources of the State; and

WHEREAS, pursuant to section 195D-1, HRS, the Board is charged with the responsibility of insuring "the continued perpetuation of indigenous aquatic life, wildlife, land plants and their habitats for human enjoyment, for scientific purposes and as members of ecosystems"; and

WHEREAS, Kawaiinui Marsh is one of the largest remaining wetlands in Hawaii, encompassing an area greater than 830 acres, and serves as a critical flood control basin to protect the developed lower-lying areas of urban Kailua as well as the water quality of Kailua Bay. Moreover, the marsh's aesthetic open space is of high value to both the Windward community and the State; providing a variety of recreational and educational opportunities; and

WHEREAS, Hamakua Marsh is a 22 acre wetland historically connected to and immediately downstream of Kawaiinui Marsh, which possesses many of the same flood control, water quality, open space, recreational and educational opportunities afforded at Kawaiinui; and

WHEREAS, Kawaiinui and Hamakua Marshes have been designated a RAMSAR site of international importance due to their important natural and cultural resources, referred to collectively as the *Kawaiinui and Hamakua Marsh Complex*; and

WHEREAS, Kawaiinui and Hamakua Marshes support a variety of introduced and indigenous aquatic wildlife as well as providing important habitat for migratory bird species and four endangered species of native Hawaiian waterbirds, the U.S. Fish and Wildlife Service has identified both marshes as water bird recovery areas. In addition, because three prominent heiau (Ulupo, Pahukini, and Holomakani) and numerous significant archaeological sites are located in

Kawaiinui, the entire Kawaiinui Marsh has been determined to be eligible for listing in the National Register of Historic Places; and

WHEREAS, approximately 80 acres of Kawaiinui Marsh were acquired with federal funds from the Land and Water Conservation Fund Program and these lands are now designated 6(f) which requires that outdoor recreation opportunities be provided; and

WHEREAS, the Board is the landowner and is charged with the responsibility of managing lands in Kawaiinui Marsh (including Wai'auia fka ITT parcel) and Hamakua Marsh; and

WHEREAS, the Board is restoring habitat for endangered endemic water birds such as the Hawaiian stilt (*Himantopus mexicanus knudseni*), Hawaiian gallinule (*Gallinula chloropus sandvicensis*) and Hawaiian coot (*Fulica alai*); and

WHEREAS, AML is a private, non-profit organization whose mission is to develop, promote, and practice a native Hawaiian conservation ethic, relevant to our times, that is responsible to both Hawaiian culture and science. This ethic is protective of native cultural and natural heritage and is expressed through research, education, and active stewardship; and

WHEREAS, AML has a "Curatorship Agreement" with the State of Hawaii Department of Land and Natural Resources – Division of State Parks for the ecological restoration of the cultural site of *Na Pohaku o Hauwahiine*; and

WHEREAS, AML has a "Co-curatorship Agreement" along with the Kailua Hawaiian Civic Club with the State of Hawaii Department of Land and Natural Resources – Division of State Parks for the cultural site of *Ulupo Heiau*; and

WHEREAS, AML conducts educational tours for adult community groups and learning activities for school groups from elementary through college of the natural and cultural history of Kawaiinui Marsh and the Kailua Ahupua'a; and

WHEREAS, AML has successfully worked with the Kailua Bay Advisory Council to assist with the maintenance of the Kawaiinui Neighborhood Park Best Management Practices (BMP) garden; and

WHEREAS, AML conducts service learning projects involving various community members and student classes from elementary through college in the restoration and conservation of the ecological and cultural sites in Kawaiinui Marsh,

NOW, THEREFORE, the above parties agree to engage as partners in a cooperative effort to inform the public about the natural and cultural resources of Kawaiinui and Hamakua Marshes, efficiently and effectively. Both parties hereto deem it mutually advantageous and desirable to cooperate in providing educational, interpretive, and passive recreation opportunities of Kawaiinui and Hamakua Marshes, and agree to the following provisions.

I. Board Responsibilities:

The Board agrees to undertake the following responsibilities under this Agreement:

- a. Support the efforts of AML to continue to develop educational and interpretive programs in Kawaiinui and Hamakua Marshes, especially with wetland bird habitat restoration.
- b. Seek consultation and advice from AML in the protection and management of cultural and ecological sites within Kawaiinui and Hamakua Marshes.
- c. Assist in funding interpretive and educational signage and kiosks about the natural and cultural resources of Kawaiinui and Hamakua Marshes upon receipt and approval of a proposed design and budget.
- d. Provide appropriate information and resources, as requested, to assist AML in gathering materials to develop educational and interpretive programs and to support AML and community efforts in creating a visitor center and a Hawaiian cultural and environmental center at Kawaiinui Marsh.
- e. Provide passive recreational opportunities in conjunction with the wildlife sanctuaries, including trails, viewing platforms for bird-watching, and interpretive signs.

All Board activities and support are as funding permits.

II. AML Responsibilities:

AML agrees to undertake the following responsibilities under this Agreement:

- a. Will continue to engage Department of Education district schools, and private schools, i.e. Le Jardin Academy, colleges and interested community groups in the restoration projects and educational programs in Kawaiinui and Hamakua Marshes.
- b. Will consult with and seek necessary approvals from the Board on any cultural and ecological restoration projects or programs conducted on lands managed by the Board in Kawaiinui and Hamakua Marshes.
- c. Will provide the Board proposed designs and budgets for interpretive and educational signage and kiosks about the natural and cultural resources of Kawaiinui and Hamakua Marshes.

III. Joint Responsibilities:

The Board and AML agrees to undertake the following joint responsibilities under this Agreement:

- a. Participation in meetings that direct AML, the Board and other community groups and representatives in the efforts to engage and educate the public about the cultural and natural resources of Kawaiinui and Hamakua Marshes.
- b. Collaboration to develop projects that mutually benefits both parties missions and goals.
- c. Collaboration to identify suitable areas for cultural restoration.

IV. Term, Evaluation And Modification.

- A. *Term.* This instrument is executed as of the last date shown below which shall be the commencement date. This instrument will remain in effect for ten (10) years after which it is renewable at the option of the Parties.
- B. *Evaluation.* This Agreement may be reviewed, evaluated, and updated at any time, but no later than five (5) years from the commencement date. A record of the evaluation will be appended to the agreement.
- C. *Modification.* This Agreement may be modified at any time by mutual agreement of the Parties. Modifications shall be in writing executed by the authorized officer representing AML and the Board respectively. For purposes of this modification provision, such authorized officers are AML, and the Board of Land and Natural Resources for all substantive changes and the Chairperson of the Board for non-substantive changes to facilitate processing such changes.

V. Termination.

Either party, in writing, may terminate the instrument in whole, or in part, at any time before the date of expiration. Unless otherwise by mutual agreement, 90 days advance notice shall be provided prior to termination.

VI. Principal Contacts.

The principal contacts for administering this Agreement are:

- A. 'Ahaui Malama I Ka Lokahi  
P.O. Box 751  
Honolulu, Hawaii 96808
- B. *State of Hawaii*/ Department of Land and Natural Resources  
Division of Forestry and Wildlife - Oahu Forestry and Wildlife Manager  
2135 Makiki Heights Drive  
Honolulu, Hawaii 96822



VII. Miscellaneous Provisions.

A. *Discriminators.* Nothing in this Agreement shall be construed as affecting in any way the delegated authority or responsibilities of the Board of Land and Natural Resources. This Agreement shall not supersede any agreements currently in effect between the State and AML.

B. *Additional Parties.* By modification of this Agreement by the Parties, additional governmental, non-profit organizations, and other entities may be made party thereto on such terms and conditions as the Board and AML may agree.

**IN WITNESS WHEREOF,** the parties hereto have executed this Memorandum of Agreement as of the last date written below.

‘AHAHUI MALAMA I KA LOKAHI

By Charles K. Burrows Date 2/24/2010  
Name Charles K. Burrows  
Title President

STATE OF HAWAII  
BOARD OF LAND AND NATURAL RESOURCES

By Laura H. Thielen Date 03/11/2010  
for Chairperson

Approved by the Board of Land and Natural Resources  
at its meeting held on October 23, 2009.

Approval as to Form:

Deputy Attorney General Date 11/5/09

**Ronald Sato**

---

**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 1:15 AM  
**To:** Paulette Tam  
**Subject:** Fwd: Ramsar.Org A Brief History of the Ramsar Convention 8-05-2013

## **Re: EISPN: Environmental Impact Statement Preparation Notice - For Title Project DLNR/ Kawainui-Hamuakua Master Plan - Part Fifteen Ramsar.Org A Brief History of the Ramsar Convention 8-05-2013.**

FYI confidential thoughts and information intended only for the recipient and for educational purposes.

----- Forwarded message -----

**From:** **Paulette Tam** <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
**Date:** Mon, Nov 11, 2013 at 6:18 AM  
**Subject:** Ramsar.Org A Brief History of the Ramsar Convention 8-05-2013  
**To:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

# **A brief history of the Ramsar Convention**

*08/05/2013*

## **Background**

The initial call for an international convention on wetlands came in 1962 during a conference which formed part of Project MAR (from "MARshes", "MARécages", "MARismas"), a programme established in 1960 following concern at the rapidity with which large stretches of marshland and other wetlands in Europe were being "reclaimed" or otherwise destroyed, with a resulting decline in numbers of waterfowl.

The MAR Conference was organized by Dr Luc Hoffmann, with the participation of the International Union for the Conservation of Nature and Natural Resources (now IUCN-International Union for Conservation of Nature), the International Waterfowl and Wetlands Research Bureau, IWRB (now Wetlands International), and the International Council for Bird Preservation, ICBP (now BirdLife International), and was held in Les Saintes Maries-de-la-Mer in the French Camargue, 12-16 November 1962.

Over the next eight years, a convention text was negotiated through a series of international meetings (St. Andrews, 1963; Noordwijk, 1966; Leningrad, 1968; Morges, 1968; Vienna, 1969; Moscow, 1969; Espoo, 1970), held mainly under the auspices of IWRB, the guidance of Prof. G.V.T. Matthews, and the leadership of the government of the Netherlands. Initially the envisaged convention was directed specifically at the conservation of waterfowl through the creation of a network of refuges, but as the text developed, especially with the expert advice of legal consultant Mr Cyrille de Klemm, conservation of wetland habitat (rather than species) took prominence.



Finally, at an international meeting organized by Mr Eskander Firouz, Director of Iran's Game and Fish Department, and held in the Caspian seaside resort of Ramsar in Iran, the text of the Convention was agreed on 2 February 1971 and signed by the delegates of 18 nations the next day.

The Convention entered into force in December 1975, upon receipt by UNESCO, which had agreed to act as the Convention's depository, of the seventh instrument of accession to or ratification of the Convention, which came from Greece. The Convention has recently celebrated throughout 2011 the 40th anniversary of its creation.

Since its adoption, the Ramsar Convention has been modified on two occasions: by a protocol (a new treaty which amends the original treaty) in December 1982, and by a series of amendments to the original treaty, known as the "Regina Amendments" of 1987.

### **The Paris Protocol and the Regina Amendments**

The **Paris Protocol** was adopted at an Extraordinary Conference of the Contracting Parties which was held at UNESCO headquarters in Paris in December 1982. The Protocol, which came into force in 1986, established a procedure for amending the Convention (Article 10 bis) and adopted official versions of the treaty in Arabic, French, English, German, Russian and Spanish.

The **Regina Amendments** are a series of amendments to Articles 6 and 7 that were accepted at an Extraordinary Conference of the Contracting Parties held in Regina, Canada, in 1987. These did not affect the basic substantive principles of the Convention, but related to its operation - briefly, the amendments defined the powers of the Conference of the Parties, established an intersessional Standing Committee, and established both a permanent secretariat and a budget for the Convention. These amendments came into force on 1 May 1994, although the Parties, in the spirit of Resolution 3.4 from the 1987 meeting, observed the provisions of the amendments on a voluntary basis throughout the interim period.

New Contracting Parties normally join the Ramsar Convention as amended by the Paris Protocol and the Regina Amendments, using the model instrument of accession.

### **A Ramsar chronology - key events**

#### **2 February 1971**

The Convention on Wetlands of International Importance especially as Waterfowl Habitat is agreed by representatives of 18 nations meeting in the Iranian town of Ramsar, and signed the following day.

#### **January 1974**

Australia becomes the first State to deposit an instrument of accession to the Convention.

#### **December 1974**

An International Conference on the Conservation of Wetlands and Waterfowl is held in Heiligenhafen, Germany, and adopts the first "Criteria to be used in identifying Wetlands of International Importance" as a recommendation: the conference was intended to be the first meeting of the Conference of the Contracting Parties, but an insufficient number of countries had ratified the Convention to bring it into force in time.

#### **December 1975**

The Ramsar Convention comes into force four months after the seventh nation, Greece, deposits an instrument of accession. (The first six were Australia, Finland, Norway, Sweden, South Africa, and Iran.)

#### **August 1979**

Contracting Parties are invited to prepare the first National Reports on the implementation of the Convention in their territories, for presentation to the First meeting of the Conference of the Contracting Parties.

#### **November 1980**

First meeting of the Conference of the Contracting Parties, Cagliari, Italy:

- adopts new criteria for identifying wetlands suitable for designation to the List of Wetlands of International Importance;
- approves the elaboration of a protocol (later to become the Paris Protocol) to amend the treaty.

#### **December 1982**

A Protocol modifying the original text of the Ramsar Convention is adopted by an Extraordinary meeting of the Conference of the Contracting Parties at the headquarters of UNESCO in Paris.

#### **May 1984**

Second meeting of the Conference of the Contracting Parties, Groningen, Netherlands:

- establishes the framework for implementing the Convention, a list of agreed commitments, and priorities for the next triennium.

#### **October 1986**

Paris Protocol enters into force (after acceptance by two-thirds of Contracting Parties in 1982).

#### **May-June 1987**

Extraordinary meeting of the Conference of the Contracting Parties adopts the Regina Amendments to Articles 6 and 7 of the Convention.

Third (ordinary) meeting of the Conference of the Contracting Parties, Regina, Canada:

- adopts revised criteria for identifying wetlands of international importance;
- adopts guidelines for the implementation of the wise use of wetlands concept;
- establishes the Standing Committee, which meets for the first time;
- approves the establishment of the Ramsar "Bureau" (or secretariat) in two units, one within IUCN headquarters in Gland, Switzerland, and one within IWRB headquarters in Slimbridge, UK;
- establishes formal scientific and technical links with IUCN and IWRB;
- establishes a Wise Use Working Group to develop case studies and guidelines for wise use of the wetlands.



#### January 1988

The Ramsar Secretariat (called the "Bureau") is formally established as the Convention's permanent secretariat, with Mr Dan Navid (USA) as the first Secretary General.

The Ramsar Advisory Mission (then called the 'Monitoring Procedure', and later the 'Management Guidance Procedure') is established by the Ramsar Standing Committee at its fourth meeting, in Costa Rica.

#### 1989

Adoption of the first Ramsar logo (a soaring blue bird of unknown species, trailed by splashes of pastel blue and green).

#### January 1989

Viet Nam becomes the 50th Contracting Party to the Convention.

#### August 1989

Ramsar publishes its first book, *A Legal analysis of the adoption of the implementation of the Convention in Denmark*, by Veit Koester (in the IUCN Environmental Policy and Law Papers series).

#### July 1990

Fourth meeting of the Conference of the Contracting Parties, Montreux, Switzerland:

- approves the framework for the implementation of the Convention;
- develops and adopts revised criteria for identifying wetlands of international importance;
- expands the guidelines for the implementation of the wise use concept;
- consolidates the Ramsar Secretariat into a single unit within IUCN headquarters in Gland, Switzerland;
- continues to charge IWRB with responsibility for maintaining the Ramsar Database of Listed Sites;
- formalizes the Management Guidance Procedure;
- establishes the Montreux Record (though not formally known by this name until June 1993);
- establishes the Wetland Conservation Fund (later renamed "the Ramsar Small Grants Fund for Wetland Conservation and Wise Use");
- adopts Spanish as the third working language of the Convention, alongside English and French.

#### December 1991

First Ramsar Regional Meeting (Asia) takes place. Karachi, Pakistan.

#### June 1993

Fifth meeting of the Conference of the Contracting Parties, Kushiro, Japan:

- adopts the Kushiro Statement as the basis for the Contracting Parties' priorities for the coming triennium;
- establishes the Scientific and Technical Review Panel (STRP);
- adopts additional guidance for the implementation of the wise use of wetlands concept;

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- adopts management planning guidelines for wetland sites.

#### June 1993

Publication of *The Ramsar Convention on Wetlands: its history and development*, by G.V.T. Matthews.

#### October 1993

Publication of *Towards the wise use of wetlands*, the report of the Wise Use Project.

#### December 1993

Lithuania becomes 80th Contracting Party to the Convention.

#### January 1994

First meeting of the STRP takes place in association with the IUCN General Assembly in Buenos Aires, Argentina.

#### May 1994

Regina Amendments to Articles 6 and 7 of the Convention enter into force.

#### December 1994

Mr James McCuaig, seconded from Environment Canada, serves for six months as Interim Secretary General, replacing Mr Dan Navid.

#### August 1995

Mr Delmar Blasco (Argentina) becomes the Convention's second Secretary General.

#### January 1996

Memorandum of Cooperation signed between the secretariats of the Ramsar Convention and the Convention on Biological Diversity, the first of many memoranda between the Ramsar Secretariat and the secretariats of other Multilateral Environment Agreements (MEAs). In subsequent years, Joint Work Plans are developed to increase synergies between the two conventions.

#### February 1996

The Ramsar Convention's website is inaugurated.

#### March 1996

Sixth meeting of the Conference of the Contracting Parties, Brisbane, Australia:

- adopts the Strategic Plan 1997-2002;
- adopts criteria based on fish for identifying wetlands of international importance;
- adopts working definitions of ecological character and guidelines for describing and maintaining the ecological character of listed sites;

5

- adopts a resolution on Ramsar and water.

#### **October 1996**

The Standing Committee formally establishes 2 February as World Wetlands Day.

The Mediterranean Wetlands Committee (MedWet/Com) is established as the first regional arrangement under the Convention.

#### **February 1997**

Bahamas and Georgia both accede to the Convention on 7 February, becoming the 99th and 100th Contracting Parties.

#### **2 February 1997**

The first World Wetlands Day is celebrated in about 50 nations and becomes an annual event.

#### **May 1997**

The Ramsar Forum, a public e-mail discussion group for Ramsar-related issues, is established by the Secretariat.

The Ramsar Secretariat's Internship Programme begins with the arrival of the first group of four assistants to the Senior Regional Advisors (then called "Regional Coordinators").

Ramsar publishes *The Economic valuation of wetlands* in English, French, and Spanish.

#### **October 1997**

First three-year phase of the Wetlands for the Future initiative begins by agreement between the Ramsar Secretariat, the United States State Department, and the US Fish and Wildlife Service; later renewed regularly.

#### **December 1997**

*Wetlands, biodiversity and the Ramsar Convention: the role of the Convention on Wetlands in the conservation and wise use of wetlands*, edited by A.J. Halls, is published by the Ramsar Secretariat.

#### **January 1998**

The Evian Project, to assist communications and training activities under the Convention, is established by an agreement signed among the Ramsar Secretariat, the Groupe Danone from the private sector, the French GEF, and the government of France.

#### **October 1998**

The Standing Committee adopts the new Ramsar logo (the word Ramsar on a blue-green background with two white lines suggesting waves).

#### **May 1999**

Seventh meeting of the Conference of the Contracting Parties, San José, Costa Rica:

- adopts an array of guidelines on National Wetland Policies, reviewing laws and institutions, river basin management, education and public awareness, international cooperation, and more;
- adopts a Strategic Framework for the development of the Ramsar List;
- revises the system of regional representation under the Convention and reconstitutes the membership of the Standing Committee and STRP;
- confers the first Wetland Conservation Awards upon five recipients;
- formally confirms BirdLife International, IUCN-International Union for Conservation of Nature, Wetlands International, and WWF International as 'International Organization Partners' (IOPs) of the Convention.

#### **July 1999**

Honduras designates the Sistema de Humedales de la Zona Sur de Honduras, the Convention's 1000th Ramsar Site.

#### **September 1999**

The Society of Wetland Scientists inaugurates its annual Ramsar Support Framework grants programme; the programme runs until 2004.

#### **May 2000**

The *Ramsar Handbooks for the wise use of wetlands* are published in nine booklets in a boxed set. A CD-ROM version is published by the United Nations University in September 2002.

#### **February 2001**

Inauguration of a joint website between Ramsar and UNESCO's Man and the Biosphere Programme. A Programme of Joint Work is agreed between the two secretariats in March 2002.

#### **August 2001**

Hungary and Slovakia agree the collaborative management of the first Transboundary Ramsar Site, the Baradla Cave System and Domica, respectively.

#### **November 2001**

The MedWet Coordination Unit is opened in Athens, Greece, at that time a 5-member outpost branch of the Ramsar Secretariat, headed by a new MedWet Coordinator and funded by the government of Greece and members of the MedWet Committee.

#### **June 2002**

Surface area coverage of the world's Wetlands of International Importance surpasses 100 million hectares with the designation of Peru's Abanica del río Pastazo.

#### **November 2002**

Eighth meeting of the Conference of the Contracting Parties, Valencia, Spain:

- adopts further guidance for the Parties, covering allocation and management of water, site management planning, integrated coastal zone management, wetland inventory, under-represented wetland types, wetland restoration, peatlands;
- adopts a new Strategic Plan for the period 2003-2008;
- adopts a new *modus operandi* for the Scientific and Technical Review Panel (STRP);
- adopts a Communications, Education, and Public Awareness (CEPA) programme for 2003-2008, as a successor to the Outreach Programme 1999-2002;
- confers the second set of Ramsar Wetland Conservation Award to three organizations.

#### August 2003

Peter Bridgewater (Australia) named as the Convention's third Secretary General, succeeding Delmar Blasco.

#### October 2005

Thirty-eight Ramsar Sites are added to the List by Finland, which brings the total number past the 1,500 mark.

#### November 2005

Ninth meeting of the Conference of the Contracting Parties, Kampala, Uganda:

- adopts further guidance for the Parties, covering groundwater management, river basin management, and rapid assessment of wetland biodiversity;
- adopts frameworks for understanding relationships among existing guidance on wise use, water-related issues, and wetland inventory, assessment, and monitoring;
- establishes a Management Working Group, an STRP Oversight Panel, and a CEPA Oversight Panel as functions of the Standing Committee;
- endorses eight regional initiatives within the framework of the Convention and authorizes financial assistance for five of them;
- adopts a new *modus operandi* for the Scientific and Technical Review Panel (STRP);
- adopts topical Resolutions on fisheries resources, poverty reduction, and avian influenza;
- endorses a fifth member of the Convention's International Organization Partners, the International Water Management Institute (IWMI); and
- confers the third set of Ramsar Wetland Conservation Award to four recipients.

#### December 2005

Barbados joins the Convention as its 150th Contracting Party.

#### May 2006

Launch of the Ramsar Technical Reports series, with its first title, *Guidelines for the rapid assessment of inland, coastal and marine wetland biodiversity*, published jointly with the Convention on Biological Diversity.

#### February 2007

The 11th annual World Wetlands Day is celebrated with the theme of "wetlands and fisheries".

#### April 2007

Benin's designation of the Site Ramsar du Complexe W and Zone humide de la rivière Pendjari brings the Convention's total area covered to over 150 million hectares.

#### May 2007

Launch of the Biosphere Connections partnership between the Star Alliance airline network and the Ramsar Convention, UNESCO MAB Programme, and IUCN.

#### August 2007

Mr Anada Tiéga takes over as the Ramsar Convention's fourth Secretary General. The 3rd edition of the *Ramsar Handbooks for the wise use of wetlands*, now grown to 17 volumes, is published on CD-ROM.

#### January 2008

The Danone Group's financial support for a succession of joint projects with the Ramsar Convention enters its 10th year.

#### February 2008

The 12th annual World Wetlands Day is celebrated with the theme of human health: "Healthy wetlands, healthy people".

#### July 2008

Designation by the Democratic Republic of Congo of the world's largest Ramsar Site, Ngiri-Tumba-Maïdombe, at more than 6.5 million hectares.

#### October 2008

Gambia and Senegal agree the collaborative management of the Convention's 10th Transboundary Ramsar Site, called "Niimi-Saloum", and its first TRS outside of Europe.

#### October-November 2008

Tenth meeting of the Conference of the Contracting Parties, Changwon, Republic of Korea:



- adopts the "Changwon Declaration" on wetlands and human health and well-being;
- adopts guidance on principles for partnerships with the Convention, describing the ecological character of wetlands, wetlands and river basin management, and highly pathogenic avian influenza;
- adopts frameworks for guidance on Ramsar data and information needs and on detecting, reporting, and responding to change in ecological character;
- adopts topical Resolutions on wetlands and human health, climate change, "biofuels", extractive industries, urbanization, poverty alleviation, small island states, and biodiversity in rice paddies;
- adopts a new Strategic Plan and a new Communications, Education, Participation, and Awareness (CEPA) Plan for 2009-2015; and
- confers the fourth set of Ramsar Wetland Conservation Awards.

#### February 2009

The 13th annual World Wetlands Day is celebrated with the theme of river basins: "Upstream-Downstream: wetlands connect us all".

#### July 2009

The first issue of the quarterly Newsletter of the Scientific and Technical Review Panel (STRP) is published.

#### September 2009

Argentina designates the world's southernmost Ramsar Site, Glaciar Vinciguerra y turberas asociadas, at 54°45'S 068°20'W.

#### February 2010

The 14th annual World Wetlands Day is celebrated with the theme of "Caring for wetlands - an answer to climate change".

#### March 2010

Launch of the Convention's YouTube channel

#### February 2011

The 15th annual World Wetlands Day is celebrated with the theme of "Forests for water and wetlands". Publication of *Ramsar's liquid assets*, highlighting 40 years of the Convention's achievements and challenges; 40th anniversary celebrations continue throughout 2011.

#### March 2011

The Convention's List of Wetlands of International Importance surpasses 2,000 Ramsar Sites worldwide.

#### March 2011

The Star Alliance of airlines, through its Biosphere Connections agreement with Ramsar, IUCN, and UNESCO, releases a series of high quality of films, some of which are focused upon Ramsar Sites.

#### July 2011

Publication of the 4th edition of the *Ramsar Handbooks for the wise use of wetlands* on the Ramsar website and CD-ROM.

#### August 2011

Creation of the Ramsar Convention's Facebook page, with 59,849 fans by November 2012. An on-line Photo Gallery was also launched to enable wetland enthusiasts to contribute their favorite photographs directly ([www.40thramsar.org/](http://www.40thramsar.org/)).

#### February 2012

The 16th annual World Wetlands Day is celebrated round the world with the theme of "Wetlands and Tourism".

Launch of the Convention's *Scientific and Technical Briefing Notes* series of PDF publications from the STRP.

#### July 2012

Eleventh meeting of the Conference of the Contracting Parties, Bucharest, Romania, with the theme of Wetlands, Tourism and Recreation:

- adopts a significant Resolution on "Tourism, recreation and wetlands";
- adopts new procedures and guidance on describing Ramsar Sites at the time of designation and in subsequent updates, paving the way for on-line submission of site data by Parties in coming years;
- adopts new guidelines for avoiding, mitigating and compensating for wetland losses
- adopts Resolutions on important cross-sectoral issues such as wetlands and energy, management of urban wetlands, wetlands and health, wetlands and poverty eradication, wetlands and climate change, rice paddy pest control, and promoting sustainable investment by the private sector;
- adopts Resolutions on administrative matters, such as the budget for 2013-2015, the composition and responsibilities of the Standing Committee, the modus operandi of the STRP and future implementation of scientific and technical aspects of the Convention for the next triennium;
- resolves years of study by choosing to continue the institutional hosting by IUCN rather than join the United Nations system; and
- confers the fifth set of Ramsar Wetland Conservation Awards.

#### February 2013

The 17th annual World Wetlands Day is celebrated round the world with the theme of "Wetlands and Water Management", in recognition of the UN's International Year of Water Cooperation.

## August 2013

Dr Christopher Briggs takes over as the Ramsar Convention's fifth Secretary General, replacing Mr Anadá Triéga.

### Further reading

Two Ramsar publications provide a detailed background to the Ramsar Convention's historical and legal development up to 1993:

[\*The Ramsar Convention on Wetlands: Its History and Development\*](#), by G.V.T. Matthews, 1993; and

[\*The Legal Development of the Ramsar Convention\*](#), by C. de Klemm and I. Créteaux, 1993.

### Additional background resources:

Karin Baakman, *Testing times: the effectiveness of five international biodiversity-related conventions*. Nijmegen, Netherlands: Wolf Legal Publishers, 2011.

Michael Bowman, "[The Ramsar Convention on Wetlands: has it made a difference?](#)" in *Yearbook of International Co-operation on Environment and Development 2002/2003* (London: Earthscan), 61-8. [reprinted [www.ramsar.org/pdf/key\\_law\\_bowman2.pdf](#)]

Royal C. Gardner, "Rehabilitating nature: a comparative review of legal mechanisms that encourage wetland restoration efforts", *Catholic University Law Review*, v. 52, no. 3 (2003) [reprinted [www.ramsar.org/pdf/wurc/wurc\\_rest\\_incentives\\_gardner.pdf](#)]

Clare Shine and Cyrille de Klemm, *Wetlands, water and the law: using law to advance wetland conservation and wise use*. Gland: IUCN and Bonn: IUCN Environmental Law Centre, 1999.

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## The Convention today

Number of » [Contracting Parties](#): 168 Sites designated for the

» [List of Wetlands of](#)

[International Importance](#): 2,168 Total surface area of designated sites (hectares): 206,632,105

## Ramsar Secretariat

Rue Mauverney 28  
CH-1196 Gland, Switzerland  
Tel.: [+41 22 999 0170](#)

Fax: [+41 22 999 0169](#)  
E-Mail: [ramsar@ramsar.org](mailto:ramsar@ramsar.org)  
Map: [click here](#)

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**Ronald Sato**

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**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 1:20 AM  
**To:** Paulette Tam  
**Subject:** Fwd: EISPN - Division of State Parks / Ulupo Heiau State Historic Site

## **Re: EISPN: Environmental Impact Statement Preparation Notice - For Title Project DLNR/ Kawainui-Hamuakua Master Plan - Part Eighteen Re: EISPN Division of State Parks/ Ulupo Heiau State Historic Site.**

FYI confidential thoughts and information intended only for the recipient and for educational purposes.

----- Forwarded message -----

**From:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
**Date:** Thu, Oct 13, 2016 at 2:53 AM  
**Subject:** Re: EISPN - Division of State Parks / Ulupo Heiau State Historic Site  
**To:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

### **Division of State Parks | Ulupō Heiau State Historic Site**

[dlnr.hawaii.gov/dsp/parks/oahu/ulupo-heiau-state-historic-site/](http://dlnr.hawaii.gov/dsp/parks/oahu/ulupo-heiau-state-historic-site/)

There is *Ulupō Heiau* on the east with Pahukini Heiau and Holomakani Heiau on ... The massiveness and quantity of rock carried many miles hint at its *cultural* ..

## **Ulupō Heiau State Historic Site**

Hours            Daily During Daylight Hours

Entrance Fee   None

Park Brochure   •   [Ulupō Heiau State Monument](#)

### **History**

It's 1750. Kailua is the political seat of power for the district of Ko'olaupoko and a favored place of the O'ahu chiefs for its abundance of fish and good canoe landings. The houses of the ali'i (chiefs), their families, and their attendants surround Kailua Bay. Behind the sand beach is the large, fertile expanse of Kawai Nui which has been converted to a fishpond surrounded by an agricultural fieldsystem. Kawai Nui is a large, 400 acre fishpond with an abundance of mullet, awa, and o'opu. Ka'elepulu and Nu'upia fishponds are nearby. The



maka'ainana (commoners) provide support for this chiefly residence. Farmers grow kalo (taro) in the irrigated lo'i (fields) along the streams from Maunawili and along the edges of the fishponds. Crops of dryland kalo, banana, sweet potato, and sugarcane mark the fringes of the marsh. The fishermen harvest fish from the fishponds and the sea. The kahuna (priests) oversee the religious ceremonies and rites at several heiau around Kawai Nui. There is Ulupō Heiau on the east with Pahukini Heiau and Holomakani Heiau on the west side.

Hauwahine, the mo'o or guardian spirit, protects the people of Kawai Nui and assures an abundance of fish. The legendary association of Ulupō Heiau with the menehune suggests the antiquity of this site. The massiveness and quantity of rock carried many miles hint at its cultural importance. Tradition records Kualoa, more than 10 miles away, as one source of these stones.

It is likely that the function of this heiau changed over time. It probably began as a mapele or agricultural heiau with ceremonies and rites conducted to insure the fertility of the crops grown in Kawai Nui. In later times, it may have become a heiau luakini dedicated to success in war with structures erected atop this massive stone platform, including an altar, an oracle tower or anu'u, thatched hale, and notches in the terraces to hold the ki'i or wooden images. The spring off the corner of the heiau was another important feature related to the ceremonial traditions of the site.

Ulupō Heiau measures 140 by 180 feet with walls up to 30 feet in height. The construction of this massive terraced platform required a large work force under the direction of a powerful ali'i. Several O'ahu chiefs lived at Kailua and probably participated in ceremonies at Ulupō Heiau, including Kakuhikewa in the 1400s and Kualii in the late 1600s. Kualii fought many battles and he may have rededicated Ulupō Heiau as a heiau luakini. Maui chief Kahekili came to O'ahu in the 1780s and lived in Kailua after defeating O'ahu high chief Kahahana for control of the island. Kamehameha I worked at Kawai Nui fishpond and is said to have eaten the edible mud (lepo ai ia) of Kawai Nui when there was a shortage of kalo. But by 1795 when Kamehameha I conquered O'ahu, it is believed that Ulupō Heiau was already abandoned.

Ulupō Heiau was transferred from the Territorial Board of Agriculture and Forestry to Territorial Parks in 1954. In the early 1960s, through a joint effort of State Parks and Kaneohe Ranch, the stone walkway was placed atop the heiau and the stone paving was laid around the springs. The bronze plaque was installed in 1962 by the Commission on Historical Sites. Ulupō Heiau is listed on the National and Hawaii Registers of Historic Places. At Ulupō Heiau, State Parks seeks to promote preservation of the heiau and heighten public awareness about the cultural history of Kawai Nui.

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## **PDF]Kawainui-Hamakua Complex master plan - HHF Planners**

[www.hhf.com/kawainui/.../DRAFT%20Kawainui-Hamakua%20Master%20Plan.pdf](http://www.hhf.com/kawainui/.../DRAFT%20Kawainui-Hamakua%20Master%20Plan.pdf)

Figure 4-22 Ulupō Heiau State Historical Park. 4-43 .... of the *Division of State Parks*. There are two ... Property ownership and State DLNR *division* jurisdictions.

Total 153 Pages in Color and Black Ink.

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**Ronald Sato**

**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 1:28 AM  
**To:** Paulette Tam  
**Subject:** Fwd: Honolulu Advertiser April 25, 2005 by Jan TenBruggencate and Kawainui Marsh Timeline by HHFPI  
**Attachments:** 050415\_HA\_Kawainui.pdf

## **Re: EISPN: Environmental Impact Statement Preparation Notice - For Title Project DLNR/ Kawainui-Hamukua Master Plan - Part Nineteen Honolulu Advertiser April 25, 2005 by Jan TenBruggencate and Kawainui Marsh Timeline by HHFPI.**

FYI confidential thoughts and information intended only for the recipient and for educational purposes.

----- Forwarded message -----

**From:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>  
**Date:** Mon, Oct 14, 2013 at 4:07 PM  
**Subject:** Honolulu Advertiser April 25, 2005 by Jan TenBruggencate and Kawainui Marsh Timeline by HHFPI  
**To:** Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

"designated a Wetland of International Importance, joining such areas as the Chesapeake and Delaware Bay estuaries and the Florida Everglades"  
Attachment: 05041515 HA Kawainui.pdf

Because existing fonts display Hawaiian language diacritical marks inconsistently, we have omitted the use of the kahako in Hawaiian words in our site text.

## **Kawainui-Hamukua Marsh Timeline**

- **Ongoing** - Community sponsored activities and service projects supported by a number of Hawaiian civic organizations have implemented improvements at Ulupō Heiau, Nā Pōhaku O Hauwahine, Kaha Park, and other locations to protect and enhance the native cultural and natural heritage of Kawainui and Hāmākua wetlands.

- **July 2011** - A signing ceremony for a partnership agreement between the Department of Land and Natural Resources and the US Army Corps of Engineers was held for the Kawainui Marsh State Wildlife Sanctuary project that will create eleven terraced pond cells separated by low earthen berms. The pond design includes a single feedwater and drainage channel with hydraulic controls to allow independent filling and draining of each pond from onsite shallow wells.
- **March 2011** - The *Wetland Restoration and Habitat Enhancement Plan* was finalized to restore habitat for native Hawaiian waterbirds, migratory shorebirds and waterfowl, and native fish species on 60 acres of land near the intersection of Kailua Road (Pali Highway) and Kapaa Quarry Road. Erosion control improvements will be implemented on an additional 20 acres of upland forest area to mitigate storm water drainage into the restored wetland.
- **October 28, 2008**- Ownership of Kawainui Marsh is transferred from the C&C to the State and placed under the jurisdiction of DLNR.
- **February 2005**- The Kawainui-Hamakua Marsh Complex is designated as a Ramsar Convention Wetland of International Importance. The Ramsar Information Sheet documentation was compiled by David Smith, Wildlife Manager with the Hawaii Department of Land and Natural Resources; Eric Gilman of the National Audubon Society and Chair of the International Chapter of the Society of Wetland Scientists; and Muriel B. Seto, Culture Chair of Hawaii's Thousand Friends.
- **October 2002** - The *Kawai Nui Gateway Park Environmental Assessment* was based on a plan to develop a community park and nature trail on vacant land in the northeast corner of the marsh across from Kalaheo High School.
- **May 2001** -The *Kawai Nui Marsh Pathway Plan* was prepared through funding from the City and County of Honolulu visioning process to identify detailed recommendations for a pathway around the marsh in alignment with the 1994 DLNR *Kawai Nui Marsh Master Plan*.
- **1997**- Construction on the levee is completed.
- **July 1994**- The Department of Land and Natural Resources prepared the *Kawai Nui Marsh Master Plan* to identify improvements in the area that help the public learn about, appreciate, and enjoy the marsh. Key elements of the plan included a visitor center, a cultural park, ethnobotanical gardens, community parks, and a pedestrian trail.
- **1992**- An open water channel through the west central portion of the marsh is dredged by the City to improve the distribution of stormwater flows.
- **New Year's 1988**- The New Year's flood results in severe damage to the Coconut Grove subdivision, prompting a reassessment of the flood control capacities of the marsh by USACE and C&C of Honolulu Department of Public Works.



- **February 1988-** Pahukini Heiau is rededicated.
- **1988-** A sewer line and pumping stations are routed along Kailua Road, connecting the neighborhoods of Maunawili, Olomana, Pohakupu, and Kukanono to the Kailua Wastewater Treatment Plant. This allows the C&C to close four secondary treatment plants that were discharging partially treated effluent into the marsh.
- **1986-** The Kailua Auto Wreckers auto dump along north end of the marsh is removed.
- **1985-** The Hamakua Drive extension is completed, linking Kailua Town with Enchanted Lakes.
- **1983-** The *Resource Management Plan for Kawaiui* is prepared by the State Department of Planning and Economic Development (DPED).
- **1982-** The Hawai'i State Board of Geographic Names votes to officially change the spelling from "Kawai Nui" to "Kawaiui" and designate the resource as a "marsh" rather than a "swamp." The Kawaiui Heritage Plan is prepared and updated by Robert Herlinger.
- **1981-** Ulu Po Heiau (as spelled on the register) is listed on the Hawaii Register of Historic Places.
- **1979-** Kawaiui Marsh is determined to be eligible for listing on the National Register of Historic Places. The U.S. National Registrar for Historic Places issues a "Determination of Eligibility Notification," which states that "Kawaiui Marsh is important as a major component of a larger cultural district which would include... the ponding/wet agricultural area... remains of extensive terracing systems, ceremonial sites, burial sites, and habitation areas associated with thiagricultural complex."
- **March 1978-** The State LUC orders 244 acres in the northern portion of Kawaiui Marsh to continue to be classified as Urban following a petition by the State Department of Planning and Economic Development (DPED) to reclassify the acreage as Conservation.
- **December 1974-** Land Use Commission(LUC) reclassifies 50 acres from Urban to Conservation. (TMK 4-2-14:02)
- **September 1974-** The private developer which had proposed Kawaiui Shopping Center on 88 acres of land at Kawaiui Marsh cancels development plans.
- **1974-** The Model Airplane Park is developed on landfill.
- **November 1972-** Ulu Po Heiau (as spelled on the register) is listed on the National Register of Historic Places.
- **September 1972-** Pahukini Heiau is placed on the National Register of Historic Places.

- **Early 1972-** A private developer proposes a shopping complex on 88 acres in the northeast corner of Kawaiui Marsh. In response, community groups actively voice their objections against the development and using the marsh for sanitary landfill as previously proposed by the C&C in the late 1960s.
- **Late 1960s-** The C&C Department of Parks and Recreation initiates planning for Kawaiui Regional Park including a water-oriented recreation park and passive and active parks on the periphery. The Department of Public Works proposed that the filling of portions of Kawaiui Marsh for recreational purposes should be accomplished with sanitary landfill.
- **1968-** Kane’ohe Ranch sells 250 acres of Kawaiui Marsh lands to the City and County of Honolulu.
- **1966-** Kalaheo High School opens as an intermediate school. The school is later repurposed as a high school in 1973.
- **1965-** Kailua Drive-In Theater opens on the site of the current Le Jardin Academy.
- **1964-** C&C of Honolulu purchases, with Federal aid, 749 acres for \$1.2 million from a private developer who had proposed a development on 200 acres of marsh land in 1961. The development, which proposed 4,000 homes on 200 acres, a 50-acre park, and a 40-acre pond, was previously granted subdivision approval in 1962.
- **1963-** Castle Hospital opens on land donated by Harold K.L. Castle.
- **1962-** Ulupo Heiau is designated as a State Monument.
- **1959-** Pali Highway is realigned with tunnels, anticipating windward development.
- **1956-** Kane’ohe Ranch drains Kawaiui for pastureland. Water levels are reduced by 4’.
- **1952-** The canal along the entire length of Kawaiui Marsh to the Waimanalo end of Hamakua Marsh is constructed to help control flooding. The canal replaced Kawaiui Stream and was thirty yards wide and three yards deep.
- **1949-** Honolulu Construction and Drayage (today’s Ameron HC&D) leases 100 acres from Kane’ohe Ranch on Ulumawao ridge for quarrying operations.

- **1940s-1960s-** United States Army Corps of Engineers (USACE) conducts studies and implements flood control projects, including widening of ‘Oneawa Canal and constructing a levee on the *ma kai* side of Kawaiui Marsh.
- **1930s-** Urban development begins along the coastline in Kailua. The Kukanono area is developed in the late 1930s.
- **1924-** The first real estate subdivisions were built at Ka’ohao. The subdivision is dubbed “Lanikai Crescent” with Kane’ohe Ranch land accounting for approximately one half of total acreage. Mid-Pacific Country Club opens.
- **1923-** Planning begins on the Coconut Grove subdivision. Elsie’s Store, the site of the existing Kalapawai Market, opens for business. Watermelon, pineapple, and coconut fields can be found in Kailua.
- **1920s-** Rice growing and aquaculture are abandoned due to lack of water and the marsh begins to form.
- **1912-** Kenzo Matsuda takes out a lease from Kane’ohe Ranch in 1912 for 7.99 acres at the rate of \$80 annually, setting up the Matsuda Store on the marsh side of old Aulua Road, below the current site of Castle Medical Center. The building was last occupied by Martin Knott and his wife, May McCormack Knott. They lived in the building for 27 years until it was demolished due to termite damage.
- **1900s-** Rice replaces *lo’i kalo* and ranching. Ulupo Heiau is used as a cattle pen. The integrity of Holomakani Heiau is severely impacted. Kailua’s bustling community is concentrated between the base of Olomana and the *ma uka* end of Kawaiui, along old Aulua Road.
- **1880s-** Chinese farmers begin to grow rice. In 1880, George Bowser described the fertility of Kawaiui when he visited Kailua, noting the abundance of rice:  
*“To my left, as I looked eastward, was the valley of the Kawai Nui, about one-fourth of which is already laid out in rice plantations.”*  
 (An excerpt from “Kailua,” published by the Kailua Historical Society)
- **1878-** The Waimanalo Sugar Company is established and constructs an irrigation ditch (its’ second to divert waters from Kawaiui Swamp to Waimanalo Reservoir. The Company closed its sugar operations in 1947.
- **1780s-** Chief Kahekili of Maui resides in Kailua after defeating O’ahu chief Kahahana for control of O’ahu.
- **1750-** Kailua is the political seat of power for the district of Ko’olaupoko and a favored place of the O’ahu chiefs for its abundance of fish and good canoe landings.



- **1650-1795-** Settlement expands to Maunawili Valley. This move gives rise to the local *ahupua'a* and land tenure system. Kawainui is used as a fishpond and *kalo* (taro) is grown along streams and the periphery of the fishpond. Crops of dryland *kalo*, *mai'a* (banana), *'uala* (sweet potato), and *kō* (sugarcane) are grown along the fringes of the marsh.
- **1640-** Chief Kualii'i born at Kalapawai, Kailua.
- **1400s-** Chief Kakuhihewa probably participates in ceremonies at Ulupo Heiau. The date of construction of Ulupo varies from 900-1400 A.D.
- **1300s-** Chief 'Olopana builds Pahukini Heiau. The heiau sits above the present City and County (C&C) of Honolulu Kapa'a Transfer Station.
- **1100-1650-** A trail system is developed and used to deliver fish from Kawainui to chiefs in Waikīkī and 'Ewa.
- **1100-** Fishponds and taro cultivation occur in Kawainui, and Kapa'a and Mokulua quarries are in use.
- **500-** The ocean returns to very near its present level. This marine retreat would have largely exposed the wide reef fronting the bay of Kawainui. Fresh water from Maunawili mixes with the much less vigorous incursion of seawater, lowering the bay's salinity, and Kawainui becomes a brackish lagoon. Through these times, the waters of Kawainui and Ka'elepulu were in direct contact.
- **300-500 A.D.-** The first Polynesians arrive in Kailua.
- **500 B.C.-** A sandbar begins forming across Kawainui Bay, creating Kawainui Lagoon, which was filled with coral, fish, and shellfish. This sandbar is present-day Kailua.
- **1500 B.C.-** The ocean reaches a height of 6' -7' above its current level during the Ice Age. The ocean held that level for a few centuries before slowly subsiding. Coastal geologists believe that at this time a wide barrier of reef partially separated Kawainui from the open Pacific. This reef did not entirely prevent surf from sometimes reaching the inner bay. Today you can see evidence of the impact of waves on the edges of the marsh near Na Pohaku o Hauwahine overlook. The vertical bases of the low bluffs and hills here show undercut notches 2' -3' high, indicating shoreline waves breaking at the slightly higher sea level of the time.
- **4000 B.C.-** Before the arrival of Polynesians, Kawainui and Ka'elepulu were bays connected to the ocean, which extended a mile inland of the present coastline.

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[http://kailuahistoricalociety.org/?page\\_id=79](http://kailuahistoricalociety.org/?page_id=79)

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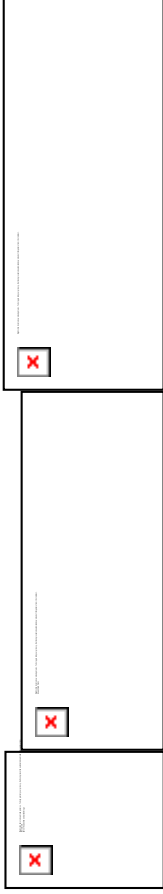
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Mahalo to Kane' ohe Ranch Co., Hawaiian Historical Society, Hawaii State Archives, and Barbara Pope Book Design for the use and coordination of images on this page.



Helber Hastert & Fee, Planners

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Monday, April 25, 2005

## **Marshes' importance recognized**

By Jan TenBruggencate  
Advertiser Science Writer

Kailua's Kawai Nui Marsh and adjacent Hamakua Marsh have been designated a Wetland of International Importance, joining such areas as the Chesapeake and Delaware Bay estuaries and the Florida Everglades.

The Kailua wetlands are the first in the state, joining 21 others throughout the nation and more than 1,400 worldwide that have been cited under the Ramsar Convention, an international treaty designed to identify and protect the world's most important wetlands.

Kawai Nui is the largest wetland left in the state. Many others have been drained or filled for development, and many estuaries have been similarly damaged, often for harbor development. Kawai Nui Marsh has 1,000 acres, and the Hamakua Marsh, just downstream from it, covers 23 acres.

The area, now along the northwest border of Kailua town, was once an ocean bay. Sandbars closed its entrance to the sea and siltation filled it. Early Hawaiians used parts of the region as a fishpond for growing mullet and other species, and other parts for growing taro.

Today, remnants of the early Hawaiian archaeological features remain, and the marsh is home to endangered native waterbirds and other species. It is also choked with weeds, and a number of community group and government efforts have been under way to improve the habitat.

The combination of rare species and culturally important sites helped gain the Kawai Nui complex the nomination.

"It is our great hope that this international designation will elevate the stature of the former Kawai Nui Hawaiian fishpond and agricultural complex in the minds of local and state planners to the benefit of its aquatic and avian habitats," said Muriel Seto, culture chairwoman for Hawai'i's Thousand Friends.

The designation had strong community support. Hawai'i's Thousands Friends was joined in recommending the designation by the National Audubon Society, The Outdoor Circle, Kailua Hawaiian Civic Club, Hawai'i Federation of Garden Clubs, Kailua Neighborhood Board, 'Ahahui Malama I Ka Lokahi, Les Jardin Windward O'ahu Academy, Pohai Nani Good Samaritan Retirement Community, Kailua Historical Society and Waihona 'Aina Corp. The U.S. Fish and Wildlife Service, Honolulu City Council, Office of Hawaiian Affairs, Gov. Linda Lingle, U.S. Rep. Ed Case and others also backed it.



**Ronald Sato**

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**From:** Paulette Tam <tampaulette@gmail.com>  
**Sent:** Friday, October 21, 2016 1:46 AM  
**To:** Paulette Tam  
**Subject:** Fwd: Kawainui Marsh FSEA: FINAL Supplemental Environmental Assessment Attachment  
**Attachments:** kawainui\_marsh\_ea\_supplement.pdf

**Re: EISPN: Environmental Impact Statement Preparation Notice - For Title Project DLNR/ Kawainui-Hamuakua Master Plan - Part Twenty Kawainui Marsh FSEA Final Supplemental Environmental Assessment Attachment.**

FYI confidential thoughts and information intended only for the recipient and for educational purposes.

----- Forwarded message -----

From: **Paulette Tam** <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

Date: Sat, Oct 12, 2013 at 8:21 AM

Subject: Kawainui Marsh FSEA: FINAL Supplemental Environmental Assessment Attachment

To: Paulette Tam <[tampaulette@gmail.com](mailto:tampaulette@gmail.com)>

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HONOLULU, HAWAII 96813

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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Paulette Tam  
[tampalette@gmail.com](mailto:tampalette@gmail.com)

Dear Ms. Tam:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your emails sent October 21, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We appreciate your sharing your background. We appreciate your support for the project and additional information provided us for our information.

Commercial activities are not permitted at Ulupō Heiau, and this condition would continue with the project. The project also does not include commercial development for visitors. Commercial activities would only be allowed if issued permits by DOFAW or DSP, and such permits have not been issued and are not planned at this time. Thank you for sending the many pages from the Ulupō Heiau management and landscape plan draft, however, we already have a copy of this draft report. Also for sending the magazine articles information, and information on grants to non-profit organizations associated with ahupua'a boundary marker signage improvements. We plan to complete the Final EIS for this project as you suggest, and publication of the Draft EIS is the next step in this environmental review process.

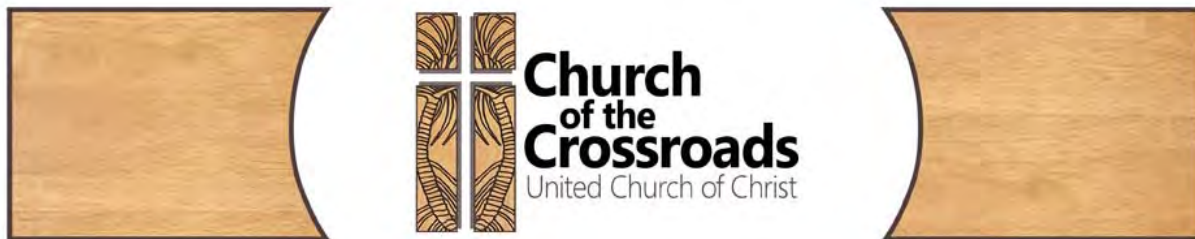
Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Smith", is written over a blue ink stamp that reads "David Smith".

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



## ***A Just Peace and Open and Affirming Congregation***

October 18, 2016

HHF Planners

733 Bishop Street, Suite 2590 Honolulu, Hawaii 96813

Ronald A. Sato, Senior Associate

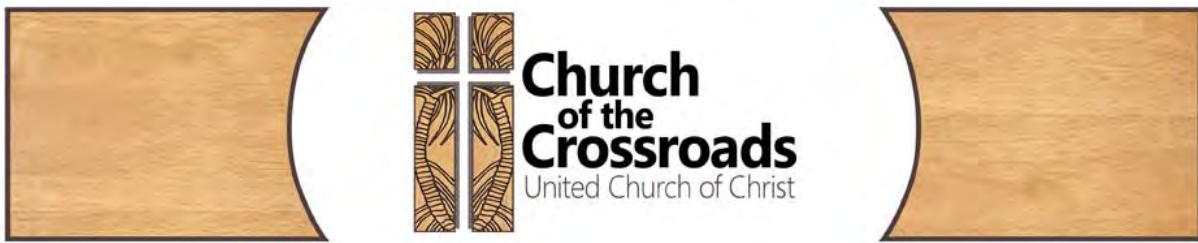
Aloha Mr. Ronald Sato,

The United Church of Christ (UCC) Church of the Crossroads has from its beginnings in the 1930's always been in the forefront as a multi-ethnic and interracial church in Hawaii concerned about social justice and peace issues. More recently for the past 18 years the church has become actively involved in environmental issues both locally and nationally supporting Indigenous Peoples such as the Gwich'in in Alaska and Canada to protect their sacred places and food subsistence and in Hawaii by supporting the Hawaiian cultural organizations to continue their traditional practices in Kawainui to restore their natural and cultural resources and educate the community.

Crossroads has brought its members to Ulupo Heiau to malama this site and also contributes a yearly donation to support the Women Community Correctional Center's (WCCC) work-team to care for Na Pohaku o Hauwahine and Ulupo Heiau.

Crossroads is also the founding member of the Hawaii Interfaith Power and Light (HIPL) that advocates and educates on Climate Change and Energy issues from a religious perspectives at the local and national levels of our society. HIPL supports Indigenous Peoples such as Hawaiian cultural practioners and their organizations that would like to have a "Hawaiian Presence" in Kawainui and Kailua.





## ***A Just Peace and Open and Affirming Congregation***

The Church of the Crossroads supports conducting an Environmental Impact Study and the Kawainui-Hamakua Marsh Complex Plan in its entirety because of the following invaluable educational, recreational, cultural, and environmental gains:

\*The plan would accomplish restoration of the wetland ponds, thus opening up areas for endangered birds, fish, and estuary organisms.

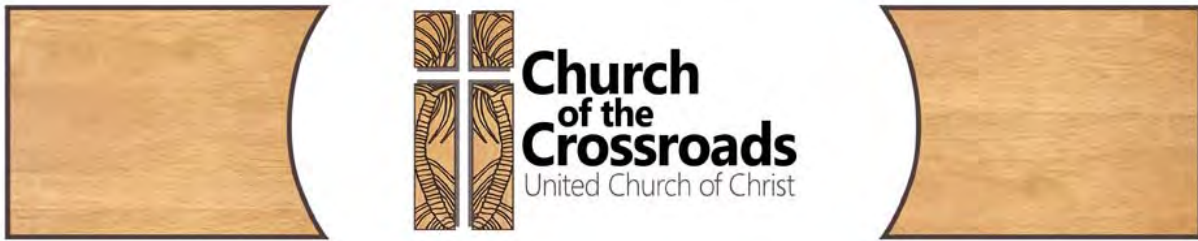
\*The master plan would enhance educational access and quality by providing education facilities, trails, and viewing platforms for hands-on learning experiences.

\*The marsh plan recognizes that the Hawaiian presence, along with native Hawaiian cultural/educational centers at the marsh, is the key to its restoration and preservation, the continuation of educational and stewardship programs, and preservation of cultural sites there.

The plan confirms, not denigrates, this wetland and will restore it to some of its ancient preeminence. It has survived all the centuries of use, neglect and abuse, but still functions as a living organism, waiting to be restored to fuller utilization. It deserves to be shared, not fenced off, or relegated to secondary status. It deserves the respect and restorative efforts that the Kawainui-Hamakua Marsh Complex Plan provides and sanctions.

Four important things the Master plan fails to address are:

1. A policy for food sustainability and the potential to grow native foods in and around the marshes and
2. Establishment of minimum stream flows required maintaining the health of the marsh and its tributary streams as required by § 174C-71 protection of in stream uses.
3. US Army Corps of Engineers and DOFAW need to construct an underground conduit passage for the flow of water from Kawainui into the



## ***A Just Peace and Open and Affirming Congregation***

Hamakua Canal to re-establish managed water flow, and improves the water circulation and health of Kaelepulu Stream.

4. A greater emphasis at the Kalaheo-Oneawa site formerly the Kawainui Gateway Park for school groups to conduct estuary science and cultural studies in relationship to the Kaha Park Xeriscape native plant garden. There should be a pavilion, restrooms and parking area for school busses as was proposed on the 2002 Kawainui Pathway Plan.

Please add to Kawainui-Hamakua Complex Master Plan of Agencies and Organizations to be consulted the name of the Church of the Crossroads. The Church of the Crossroads and the Hawaii Interfaith Power and Light will be going through a process of enlisting the support from the various Interfaith and ecumenical Christian churches to support the Kawainui-Hamakua Complex Master Plan EIS.

Mahalo,

Kathy Triolo, Church of the Crossroads Moderator

Charles K. Burrows, Ed.D.

Crossroads Peace, Justice and Stewardship of Creation, Co-chair

Crossroads Greening Congregation, Chair

DAVID Y. IGE  
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NOV 24 2017

Ms. Kathy Triolo, Moderator  
Church of the Crossroads  
United Church of Christ  
1212 University Avenue  
Honolulu, Hawai'i 96826

Dear Ms. Triolo:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your email dated October 23, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. We note the email reflects the comments by the several organizations listed. The Church of the Crossroads organization has been added as a consulted party, and will receive a copy (CD) of the Draft EIS when published for review. Thank you for sharing background information on your organization, activities, and participation in programs at Nā Pōhaku and Ulupō Heiau.

We appreciate your organization's support of the conceptual plans proposed for the Kawainui-Hāmākua Master Plan project, and the Draft EIS will document the probable impacts associated with this project. We concur that the project's proposed improvements would support restoring the ecological character of Kawainui and Hāmākua through wetland restoration and upland reforestation. Other improvements would support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), regulatory requirements for public access and outdoor recreational opportunities, and increase educational programs and stewardship opportunities. The plan recognizes Kawainui's importance to native Hawaiian culture, and provides non-profit organizations with an opportunity to establish a permanent presence to conduct cultural practices, educational programs, and participate in the stewardship of this resource and cultural sites. We concur that this resource of State importance should be shared with the public to facilitate education, cultural practices, and outdoor recreation.



We have the following numbered responses to your comments on the master plan.

1. DOFAW supports food security, food-forests and agroforestry. The Division has planted ulu and banana trees at Kawainui, and are open to other agroforestry efforts. Currently, lo'i kalo and other traditional crops are grown around Nā Pōhaku, Pōhakea, and Ulupō Heiau as a component of educational and cultural practices. The project's conceptual plans would support continuation of these activities, and also allow for such activities to be conducted at the cultural center planned at Kapa'a. However, larger scale agriculture or aquaculture production as part of food sustainability for the community or public needs to be balanced with the need to protect and manage native wildlife species. Food production activities would be encouraged where appropriate, but will be limited in scope due to relatively limited land area and the need to manage native species as part of the mix. Activities considered commercial agricultural production that would conflict with native species' habitat restoration would not be compatible. Kawainui's wetlands are flood-prone, and intended to serve as habitat for endangered waterbirds as part of the State's wildlife sanctuary, both of which would conflict with larger scale agricultural production and activities.
2. The establishment of minimum stream flows to protect the public interest in State waters, as discussed in § 174C-71, Hawai'i Revised Statutes, aligns with DOFAW's mission to protect watersheds and native ecosystems, which include Kawainui's streams and tributaries. The establishment of permanent standards is determined on a stream-by-stream basis by the Commission on Water Resource Management (CWRM). The project does not need establishment of these standards as a means of achieving its agency mission or project objectives. Wetland restoration efforts to remove the invasive growth of vegetation is more pertinent to restoring the health of this resource, and to support its function for flood control. Restoration improvements are proposed to achieve these goals. The project does not include any diversions of water that could impact stream flow.
3. The permanent water flow restoration between Kawainui's wetland and Kawainui Stream (also known as Hāmākua Canal) traveling towards Hāmākua will not be included as part of this project. We understand that a 2015 planning study explored the possibility of restoring partial water flow from Kawainui's wetland into Kawainui Stream. DOFAW would be evaluating the results of this experiment and other possible implications to their wetland restoration efforts to determine if they would want to alter this water flow change in the future. Such a project would need to be coordinated with other government agencies, and appropriate environmental studies and permitting would be pursued at that time.
4. Improvements proposed for the Kawainui State Park Reserve, Kalāheo site include a pavilion, restrooms and parking. It would also include a hale wa'a constructed and maintained by a non-profit organization that includes space (lanai, meeting room) envisioned to support cultural and educational programs related to the sport of canoeing and ecology. The Draft EIS discusses this site in more detail which includes the type of educational and cultural programs that can be conducted there.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



Claudia L. Webster  
14 Aulike St., #305  
Kailua, HI 96734  
October 19, 2016

Re: EIS Kawainui-Hamakua Marsh Plan Testimony

HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, HI 96813  
Ronald A. Sato, AIICP, Senior Associate

Ms. Marigold Zoll, O'ahu Forestry and Wildlife Manager  
State of Hawaii  
Division of Forestry and Wildlife  
Department of Land and Natural Resources  
P.O. Box 621  
Honolulu, HI 96809

Greetings:

After having read the new Environmental Impact Statement for the Kawainui-Hamakua Marsh Plan I do have comments.

First, thank you for allowing citizens to have the opportunity to comment. I live in Kailua and am greatly concerned about the future of the Kawainui-Hamakua Marsh.

2.1.2 Need for the Project--

I agree with the Restoration, Reforestation and Stewardship proposal. The area needs wetland restoration, habitat enhancement, erosion control and upland reforestation.

As a part of this, I think there needs to be major archeological research and work in the entire marsh. For years I have heard comments about what archeological sites might be found under the marsh especially in the "Peat Mat and Remediation Zones". This would be a first priority before any other development. Marvelous discoveries may be there.

Also, there should be a major study of the water and how it moves through the marsh as a hydrology study would show.

These two things need to be completed before any decisions should be made about other development even though it might be years. I think these two studies would be the foundation for future development.

If there are structures to be built in the future after the above studies are done, then I think they should be traditional Hawaiian Hale. At this time I am opposed to all structures until the above studies are completed.



My concern about any buildings, parking lots and pathways are:

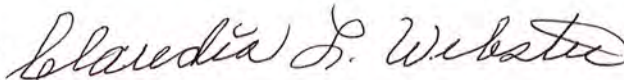
1. How will they affect the environment? Will there be runoff into the marsh?
2. Who will maintain them over the years—20, 30 years? Whose budget will cover maintenance? Who will pick up the garbage ?
3. Who will be the administrator and legal enforcement agency?
4. How will groups make reservations for the proposed educational/cultural events? There must control or it will get out of hand.
5. Will this just open more areas for the homeless to set up camps in addition to the camps they already have around the marsh?
6. Will more tourists come to Kailua?

Maybe it is obvious that I once worked for a government agency and have worked on long range plans! There are many, many details to be taken care of so this cherished marsh will be here for future generations.

Thank you so much for offering this opportunity for my input.

Sincerely,

Claudia L. Webster  
808-262-6243



[clwswim@hawaii.rr.com](mailto:clwswim@hawaii.rr.com)

DAVID Y. IGE  
GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
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KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

NOV 24 2017

Ms. Claudia L. Webster  
14 Aulike Street, #305  
Kailua, Hawai'i 96734

Dear Ms. Webster:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated October 19, 2016 on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project.

We acknowledge your support for wetland restoration and upland reforestation improvements proposed, along with the need for stewardship opportunities and partnerships with non-profit organizations.

There have actually been numerous archaeological studies conducted within the Kawainui project area over several decades, and the Draft EIS includes more information discussing the studies conducted. The studies have shown that there may be former lo'i walls within the Kahanaiki and Open Water zones, but not within the northern Peat Mat and Remediation Zones. An archaeological study has been conducted, and the findings will be included in the Draft EIS. If necessary, mitigative measures can be included as improvements are implemented for the project, all of which occur in upland areas. Only wetland restoration would occur within the wetland.

The Draft EIS discusses the project area's hydrology, including a description of the streams flowing into Kawainui. Other water entering the wetland are from storm water runoff from adjacent upland areas. However, it should be clarified that the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP) have no jurisdiction or control over upland areas outside of the project area.

The EIS document, which includes information on archaeology and hydrology, would provide DOFAW and DSP with pertinent information allowing them to make reasonable decisions associated with the phasing and implementation of proposed project improvements, and necessary mitigative measures.

Structures for the cultural centers planned would consist of those designed and developed by non-profit organizations for cultural practices. The design of those structures would need to accommodate the cultural-related activities and programs planned. There could be general design guidelines to provide more uniformity of themes and styles, but the final design would be that developed by the non-profit organizations. The Draft EIS shows that these structures would have minimal impact on archaeological sites and the hydrology of Kawainui.

We have the following responses to your comments on buildings, parking lots and pathways.

1. The Draft EIS discusses the project's effect on the environment. Project improvements would be designed to have a no net increase in storm water runoff into the wetland over existing conditions. Parking areas are intended to be designed to have pervious surfaces that would not increase present runoff volumes. Similarly, pedestrian trails would similarly have pervious surfaces (e.g. gravel) unless other types of material is required for various reasons such as compliance with ADA requirements.
2. The cultural centers would be developed and maintained by the non-profit organizations selected. The education center would similarly be maintained by the non-profit organization(s) managing them.
3. DOFAW and DSP would be responsible for administration and management of activities occurring within their jurisdictional areas.
4. The cultural centers are not intended to be open to the general public. Non-profit organizations operating these centers would be responsible to coordinate the scheduling of educational and cultural programs with DOFAW and the community. The non-profit organization operating the educational center would determine whether reservations are needed for the public to visit the center in coordination with DSP. Based upon projected visitors to the education center discussed in the Draft EIS, there is no need for a reservations system to manage visitors.
5. DOFAW effectively removes homeless encampments within Kawainui, and appreciates support from the community in notifying them of such camps and issues. Project improvements include efforts to create partnerships with non-profit organizations to increase stewardship opportunities of areas and help monitor activities occurring. Reduced secluded areas makes it less likely that homeless camps can become established because of increased visibility and public awareness.
6. The Draft EIS discusses the projected visitors to Kawainui, and increasing public access to upland areas will allow more persons to visit Kawainui.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



## Ronald Sato

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**From:** Michael Weitzenhoff <mzen@hawaii.rr.com>  
**Sent:** Wednesday, September 28, 2016 8:59 PM  
**To:** Ronald Sato  
**Cc:** Marigold.S.Zoll@hawaii.gov  
**Subject:** Comment regarding EISPN-Kawainui-Hamakua Master Plan

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

To all concerned:

I have review the EISPN-Kawainui-Hamakua Master Plan (Plan) and find it a generally well thought out and presented document.

My comment is in reference to the Hamakua marsh and Kawainui stream section of the Plan. The narrow strip of land bordering Hamakua Drive and Hamakua marsh has not been suggested for any type of improvement. In my view, this small strip of land **offers an excellent location to place a boardwalk or promenade** for Kailua residents and visitors to enjoy marsh vistas, native birds, etc. It is the most accessible portion of the entire envisioned Plan to the majority of Kailua's population. A boardwalk or promenade along this narrow strip of land bordering Hamakua Drive is within a short walking distance of many popular, existing businesses, eateries and dwellings. Interpretive signage along the boardwalk or promenade could introduce many newcomers and the uninformed to the greater Kawainui marsh program in the mauka section of Kailua.

Thank you for considering this opinion.

Respectfully submitted,

Michael Weitzenhoff PE  
1021 Lunaai Street  
Kailua Hawaii 96734  
808-330-8399  
mzen@hawaii.rr.com

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GOVERNOR OF HAWAII



**STATE OF HAWAII**  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE  
1151 PUNCHBOWL STREET, ROOM 325  
HONOLULU, HAWAII 96813

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KAHOOLAWE ISLAND RESERVE COMMISSION  
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STATE PARKS

NOV 24 2017

Mr. Michael Weitzenhoff  
[mzen@hawaii.rr.com](mailto:mzen@hawaii.rr.com)

Dear Mr. Weitzenhoff:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email sent September 28, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPEN) for the subject project.

Thank you for your suggestion to considering using the narrow strip of land bordering Hāmākua Drive and Hāmākua Marsh as a potential boardwalk or promenade for the public to view this area. Unfortunately, Hāmākua has been and would continue to be restricted from public access under this project. DOFAW would continue to accommodate periodic educational programs, cultural practices, and community service learning projects at Hāmākua. Other activities could include occasional day events allowing the public to visit Hāmākua.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Smith".

David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners

## Ronald Sato

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**From:** Maryalice Woody <woodyl002@hawaii.rr.com>  
**Sent:** Saturday, October 22, 2016 9:46 PM  
**To:** Ronald Sato  
**Cc:** marigold.s.zoll@hawaii.gov  
**Subject:** Kawainui Master Plan

Dear Mr. Sato,

I have just read over the Kawainui Hamakua Master Plan and applaud the efforts of everyone who has been involved in this project. Kawainui is such a treasure. I am part Hawaiian and a long time resident of Kailua. I know that Kailua will continue to grow but it is imperative that Kawainui doesn't end up being developed. However, it is wonderful to educate visitors and residents alike about the very rich cultural and environmental history of our beloved Kawainui. I have some questions and concerns.

Regarding the organizations that will be involved at Education Center

1. Who decides what groups are involved? I understand involving schools and families wanting to do projects will promote the feeling of ownership and therefore stewardship but who is going to be the gatekeeper? It is important to avoid being exclusive. It appears that some private entities maybe using this area, which is public land.
2. What happens to the groups who are there already? There doesn't seem to be an overall sense of inclusiveness beyond 'Ahahui Ma?lama i ka Lo?kahi, Kailua Hawaiian Civic Club & Ha?lau Mo?hala 'Ilima. Are other groups included? Especially Ke Kahua O Ku?ali'i. Do all education and cultural entries have to be centrally control by only likeminded groups? Diversity of groups- big and small would encouraged more participation and support. The Ahupua'a system was one of cooperation, diversity and collaboration.

As was stated in the plan regarding concerns: potential impacts to the wetland ecosystem, concerns were expressed over a potential influx of visitors to the project area, and resulting potential adverse effects to the surrounding community, such as traffic congestion, overcrowding, commercialization, crime, and homelessness.

1. I am also concerned about the increase of tourists in Kailua, which is experiencing a growing traffic issue.
2. Homelessness and security along the pathways also concerns me, especially since these pathways will be more remote than the one on the levee.

The huge scope and size of this project

1. It is my understanding that the restored ponds have not been as successful as expected. Given the sheer size of this undertaking, I have a concern that money will be spent and damage may occur that can't be fixed.

Thank you for taking the time to read this and thank you for asking for the public's input.

Aloha,

Maryalice Woody

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GOVERNOR OF HAWAII



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KAHOOLAWE ISLAND RESERVE COMMISSION  
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STATE PARKS

NOV 24 2017

Ms. Maryalice Woody  
Woodyl002@hawaii.rr.com

Dear Ms. Woody:

**Subject: Kawainui-Hāmākua Master Plan Project  
Environmental Impact Statement Preparation Notice  
Kailua, O‘ahu, Hawai‘i**

Thank you for your email sent October 22, 2016 providing comments on the Environmental Impact Statement (EIS) Preparation Notice (EISPN) for the subject project. We offer the following responses to your comments.

The Kawainui-Hāmākua project includes improvements that support restoring Kawainui's ecological character because it is currently a degraded resource that needs wetland restoration and upland reforestation to address the expansive invasive vegetation overtaking it. Other improvements planned would support Ramsar objectives, missions of the State DLNR, Division of Forestry and Wildlife (DOFAW) and Division of State Parks (DSP), regulatory requirements for public access and outdoor recreational opportunities, and increase educational programs and stewardship opportunities. The plan recognizes Kawainui's importance to native Hawaiian culture, and provides non-profit organizations with an opportunity to establish a permanent presence to conduct cultural practices, educational programs, and participate in the stewardship of this resource and cultural sites. The Draft EIS includes more information on proposed improvements which we believe are rather modest.

Education Center Comments

1. DOFAW and DSP are looking to increase partnerships with non-profit organizations to support stewardship of areas to supplement management activities, and provide educational programs for project areas that support their agency missions. Cultural centers and areas designated to support cultural practices would be constructed and operated by non-profit organizations selected through the State's open and competitive procurement process, such as a Request for Proposals solicitation. This may also include the education center, if not constructed and operated directly by DSP. Otherwise, a non-profit organization would be selected by DSP to manage and operate the education center under a competitive procurement process. DOFAW and DSP would review and evaluate proposals, and make recommendations to the State Land Board that makes the final decisions.



DOFAW and DSP are open to more partnerships with non-profit organizations to support their agency missions, restoration activities, and educational programs. Schools, community organizations, and others are able to consult with DOFAW and DSP about establishing such partnerships for implementing programs. As an example, schools have participated in upland reforestation activities at Hāmākua. Restoration efforts, educational programs, and cultural programs already being conducted by non-profit organizations at Ulupō Heiau, Nā Pōhaku, the restoration ponds, and other project areas under curatorship agreements reflect their commitment, and are examples of successful stewardship partnerships with DOFAW and DSP.

2. Non-profit organizations already conducting permitted activities can request renewal of existing permits. As previously discussed, DOFAW and DSP are open to more curatorship and partnerships with other non-profit organizations, large or small, along with schools to support their agency missions and objectives for this area. Such groups can consult with DOFAW and DSP now about participating in or conducting programs. Ke Kahua has an agreement with DSP to conduct cultural practices and other activities at the Pōhakea area, and the Draft EIS includes more information on these agreements.

#### Visitor Comments

1. We understand the concerns and general opposition you have with the level of visitors to Kailua, and changes that may attract more visitors to Kailua reflected in your comments. The Draft EIS discusses the background associated with this issue, which is attributable to several items such as Kailua's renowned beaches and available ocean recreational activities.

It should be noted that Ramsar supports sustainable tourism, recreational use, and cultural practices within designated international wetlands of importance. Ramsar views sustainable tourism as maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues. The project includes improvements (e.g. pedestrian trails and education center) supporting these aspects recognized under Ramsar. Other Ramsar sites do have well-designed education and visitor centers to support these objectives, and the proposed facility at Kawainui would be of a much more modest scale than others.

The Draft EIS discusses the project's effect on the environment, which includes traffic impacts. The project does not include private commercial development for visitors. The Draft EIS also includes discussion of various management alternatives available to DOFAW and DSP to manage visitor activities at Kawainui.

2. DOFAW effectively removes homeless encampments within Kawainui, and appreciates support from the community in notifying them of such camps and issues. Project improvements include efforts to create partnerships with non-profit organizations to increase stewardship opportunities of areas and help monitor activities occurring. Reduced secluded areas make it less likely that homeless camps can become established because of increased visibility and public awareness. An increase in DOFAW maintenance staff is planned with the project, and additional State DLNR, Division of Conservation and Resources Enforcement are projected to support enforcement and security of the project area.

Size of Project Comments

1. The restoration ponds constructed by the U.S. Department of Army are serving their purpose by providing habitat for endangered waterbirds. The Draft EIS includes information on the preliminary estimated order-of-magnitude costs for project improvements. The level of funding required is significant, which is why improvements would be phased over time subject to funding appropriations by the State Legislature. The master plan was developed to guide for project implementation and a means of mitigating implementation risk. The plan is a framework for how DLNR can overtime undertake the significant task of restoring Kawainui and Hāmākua and increasing recreational and educational opportunities in those areas.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of DOFAW at 973-9788.

Sincerely,



David Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



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