From: samantha sherman
To: DLNR.BLNR.Testimony

Subject: Testimony

Date: Friday, October 19, 2018 11:18:56 PM

October 19, 2018

Dear Chairperson Case and board members,

I, Samantha Sherman, do not agree with your movement. I do not support the non-exclusive easement to Haseko (Ewa) Inc. here. My uncle Henry Chang Wo has dedicated his entire life to propagating the Limu in this area. This easement will lessen all that he has done. I do not support this easement because it will affect our waters but most importantly our limu.

Thank you, Samantha Sherman From: Shyann Alfafara
To: DLNR.BLNR.Testimony

Subject: GRANT OF PERPETUAL, NON EXCLUSIVE EASEMENT TO HASEKO(EWA), INC. for drainage purposes and

issuance of construction Right-of-Entry Permit, Ewa, O'ahu, tax map keys: (1) 9-1-011: seaward of 007 and (1)

9-1-134: seaward of 006.

Date: Friday, October 19, 2018 8:05:30 PM

Agenda Item D-7 October 19,2018

Dear chairperson Case and members of the board of land and natural recourses,

My name is Shyann Corpuz-Alfafara and I am a resident of Ewa Beach where my family has lived for 5 generations and we depend on healthy oceans and abundant fisheries to feed our community. Limu abandance is an integral part of the food chain that feeds us. I am in opposition of the granting of a non-exclusive easement to Haseko inc. here.

My uncle Henry Chang Wo started the Limu project to protect our Limu beds and water quality from Mauka to Makai. Granting this easment will desecrate the Limu population that my uncle gave his life for. I DO NOT SUPPORT GRANTING THE EASEMENT TO HASEKO.

Thank you,

Shyann Corpuz-Alfafara Ewa Beach Resident

PO Box 723 Waimānalo, HI 96795 godscountrywaimanalo@gmail.com



Hoʻoulu a me hoʻōla lāhui. Propagate and perpetuate the race

Department of Land and Natural Resources Attn: Board Members 1151 Punchbowl Street, Room 130 Honolulu, HI 96813 blnr.testimony@hawaii.gov

October 14, 2018

Re: Opposition to granting Haseko, Inc. the Perpetual, Non-Exclusive Easement at One'ula

To Whom it May Concern:

The Board of Directors of God's Country Waimānalo (GCW) is morally obligated to provide this letter of support on behalf of the legacy of Uncle Henry Chang Wo of the 'Ewa Limu Project in his earthly endeavor to protect and preserve limu at a place he spent a lifetime learning, gathering and sharing his limu knowledge.

Perspective. Since western contact, Kānaka 'Ōiwi have experienced increases in disease and great losses in population. Centuries of suppression of cultural practices, and 'Ike and 'Ōlelo Hawai'i have also decimated the identity and health of our Kānaka. Consequently, Kānaka Maoli need to find ways to reconnect and reestablish our 'Ike Kūpuna and connection to 'āina.

Uncle Henry did just that. In his kuleana as a limu practitioner, Uncle Henry reached thousands of Hawaiians and Hawaiians-at-heart throughout the pae'āina by showing, teaching and restoring limu. His personal kuleana was to restore limu at One'ula.

By contesting the height of the berm, he meant only to stop toxic runoff from getting to the ocean and destroying an edible natural resource both Kānaka and sea life consume.

Science. The silt will not allow for sunlight to reach the limu. As other plants require sunlight for photosynthesis, so, too, does limu. Plants use photosynthesis to create glucose. Without the glucose, limu have no energy. Without energy, the limu will perish.

Furthermore, limu cell walls allow nutrients to pass through, thereby feeding the limu. When toxins found in runoff are allowed into the ocean, those toxins are also allowed into the cell walls. Those toxins are then transferred both directly and indirectly to humans through the consumption of the limu and consumption of limu-consuming fish, respectively.

'Ewa Limu Restoration Project Berm at One'ula

A primary producer, limu is at the lowest level in the marine food chain. In order for the marine ecosystem to thrive, primary producers are necessary. These primary producers feed the herbivore consumers, which then feed the first tier of carnivorous consumers all the way up to the apex carnivores. To allow the berm to be brought down would have devastating effects on the limu, which would cause the entire marine ecosystem in 'Ewa to fail.

Culture. His work and the work the nonprofit organization, Kuaʻāina Ulu 'Auamo (KUA), are doing is done to continue and fortify Native Hawaiian cultural practices, including limu restoration, so that generations of Kānaka may have the opportunity to live as our Kūpuna did.

Waimānalo community. We realize that most would think that Waimānalo has zero stake in this case. However, in Waimānalo, GCW was a founding body of the Waimānalo Limu Hui (WLH), our community's limu restoration group. We are learning - and for some of our community members re-learning - methods of limu restoration, limu recognition and limu preparation carried on by Uncle Henry and by members of his team at the 'Ewa Limu Project. Had Uncle Henry not taken on this kuleana, we would not have the knowledge that we have today.

Additionally, we have found that our own marine ecosystem is improving. Founded in August 2017, the WLH hosts monthly limu restoration project gatherings. Over the last year, we have recognized the return of and an increase in the number of fish in Pāhonu. Community members have remarked that they've seen "large papio" in the Pā over the last three months, a sight not witnessed in a "long time."

To track these changes, we have partnered with the University of Hawai'i's Marine Sciences Department. Research assistants join our monthly gatherings to log our findings, including where we are planting, what fish we are seeing and whether growth is noted in areas previously planted.

We, in Waimānalo and as Kānaka, owe much to Uncle Henry and the efforts he made to continue limu growth, limu culture and cultural practices. Further, the GCW Board supports KUA in its endeavor to continue in Uncle Henry's case against the lowering of the berm at One'ula. We implore your Board to **NOT** grant Haseko, Inc. the Perpetual, Non-Exclusive Easement that would allow them access to bring down the berm. It is One'ula's and Uncle Henry's last hope.

Me ka ha'aha'a.

Kenneth Ho, Jr., MSOM

Secretary

God's Country Waimānalo

October 22, 2018

Department of Land and Natural Resources Attn: Board Members 1151 Punchbowl Street, Room 130 Honolulu, Hawaii 96813 blnr.testimony@hawaii.gov

Subject: Grant of Perpetual, Non-Exclusive Easement to Haseko (Ewa), Inc. for Drainage Purposes and Issuance of Construction Right-of-Entry Permit, Ewa, Oʻahu, Tax Map Keys: (1) 9-1-011: seaward of 007 and (1) 9-1-134: seaward of 006.

Agenda Item: D-7; October 26, 2018

Dear Chairperson Case and Members of the Board of Land and Natural Resources:

I personally **OPPOSE** the granting of a non-exclusive easement to Haseko (Ewa), Inc. to cut down the sand berm that protects the shoreline from storm water runoff. I have a connection to this place as this is where my parents bought their first home in 1959. I grew up several years in Ewa Beach at a time when families gathered together along the shorelines from "Hau Bush" or One'ula to Ewa Beach Park collecting limu (seaweed). Limu is culturally significant to Hawaii and necessary to our health and way of life for man and ocean life. Sadly, it has become scarce in many of the islands due to development realignments that have caused more harm to the ocean resources. In 2013, before his death, Uncle Henry Chang Wo took me to those familiar places which images of what I remember, were still ingrained in my mind more than 50 years later. He reminded me of how important that sand berm was to this place and how it protects that area from runoff. If this permit is approved, the landscape will no longer provide that protection and will cause major harm to the many varieties of limu that is growing and struggling to survive in the ever-changing environment by man.

Growing up also on the Island of Lāna'i and having lived here now for the past 25 years, I have seen many changes to the land naturally and by man. The realignment of dirt roads by cutting down natural berms, dozing and filling in natural runoffs that had been there for many years were done just to accommodate vehicles. The damages from that is the constant dirt and silt that flows into the ocean when there is heavy rain. Reducing the height of the sand berm in Ewa by Haseko, WILL negatively affect the limu, the ocean resources and the people who use the area.

The people of Hawaii depend on our healthy oceans and abundant fisheries. We want to ensure that the generations after us will be able to have these resources available to them as it has been for our ancestors. The State of Hawaii Department of Land and Natural Resources should take the responsibility to protect our *natural resources*.

This tri C. Cootale

Thank you for your consideration.

Christine C. Costales

Secretary

Kupa'a no Lana'i P. O. Box 630422

Lanai City, Hawaii 96763

(808) 559-0436



Testimony Before The Board of Land and Natural Resources OPPOSITION TO AGENDA ITEM D-7

Friday, October 26, 2018, 9:15AM, Room 132

My name is Kevin Chang and I am the Executive Director of Kua'āina Ulu 'Auamo (or KUA).

Mahalo for this opportunity to testify. We commend you each for the public service you provide in serving our state. We know the weight is heavy on the heart and mind. We entrust that you will carry out your duty to "enhance, protect, conserve and manage" unique, limited, and vulnerable resources like the House of Limu "for current and future generations, in partnership with others from the public and private sectors."

We oppose agenda item D-7: "Grant of Perpetual, Non-Exclusive Easement to Haseko (Ewa), Inc. for Drainage Purposes and Issuance of Construction Right-of-Entry Permit, Ewa, O'ahu, Tax Map Keys: (1) 9-1-011: seaward of 007 and (1) 9-1-134: seaward of 006," (aka reduction of the berm") for a number of reasons that we shall set forth below.

KUA works to empower grassroots rural and Native Hawaiian mālama 'āina groups to celebrate their places and pass on their traditions to better Hawai'i and achieve 'āina momona—an abundant, productive ecological system that supports community well-being. We employ a community-driven approach that currently supports a network of over 30 mālama 'āina community groups collectively referred to as E Alu Pū (moving forward together), 40 fishpond restoration projects and practitioners called the Hui Mālama Loko I'a, and a new and growing hui of Limu practitioners all from across our state.

A founding kupuna of the E Alu Pū Network is Uncle Henry Chang Wo of the 'Ewa Beach One'ula area (aka The House of the Limu). Uncle Henry as many of you may know assigned his contested case on this very matter to KUA before his passing. It was the BLNR that approved our standing in for Uncle Henry an issue which now is pending for decision in the Intermediate Court of Appeals.

HOUSE OF THE LIMU A KULEANA

One ula is undeniably a highly-valued natural, cultural, and historic resource. Uncle Henry brought the contested case as a last bid to save the House of Limu, perpetuate his customary and traditional practices and relationships to 'Ewa's nearshore social-ecological systems for himself, his family, his community and future generations. In other words Uncle Henry practiced his kuleana to mālama 'āina.

Before he ever foresaw the activity up mauka of One'ula, Uncle Henry founded the 'Ewa Limu Project and an effort and movement around limu and its importance to 'Ewa and all of Hawai'i. Working with others like Uncle Walter Kamana he taught people in 'Ewa and overtime began to take the story of limu to the state. His story connected with others and small community efforts to learn, utilize and restore limu began to seed.

We believe Uncle Henry's wish was that in evaluating this CDUP the state exercise its mandated constitutional kuleana to mālama 'āina. We trust the DLNR and Board to proactively manage and protect public trust resources and purposes like the traditional and customary practice of limu gathering, limu conservation, and limu consumption from needless, potentially irreversible injury and degradation.

HAWAI'I PUBLIC TRUST DOCTRINE: DUTY TO MĀLAMA 'ĀINA

One impact <u>never</u> investigated by Haseko, DLNR staff, this Board, or anyone for that matter is: whether the limu, contaminated by increased storm water polluted with motor oil, pesticides, heavy metals, and other pollutants, will be safe to eat once gathered; safe to feed to our families, to nourish our babies, to sustain our subsistence lifestyles.

As the Native Hawaiian community grows in the 'Ewa and Kapolei district, is this relationship and possibility even being considered? Why is this Board being asked to risk the health and safety of Hawaiian families in order to reduce the ongoing cost and burden for large, private landowners to construct and retain water on their own lands as now required?

Reducing the height of the sand berm will allow stormwater runoff to flow directly into the ocean carrying with it silt and pollutants which will have a negative effect on limu abundance. Limu readily absorbs any pollutants from its surrounding waters. Absorbing chemicals and heavy metals make limu unsuitable for subsistence gathering and consumption.

Recent Hawai'i jurisprudence indicates that Hawai'i's public trust doctrine is an indigenous one, an extension of the values of our prior and ongoing values that mandate a duty to mālama 'āina and this board has an affirmative duty to take the public trust into account.

We believe you must ask yourself whether the CDUP applicant affirmatively established that the proposed action will not interfere with a public trust purpose. The absence of evidence affecting Native Hawaiian traditional and customary practices of limu gathering (i.e. its effect on human and limu health in general) is insufficient. The law requires more. We ask that you demand no less from the CDUP applicant.

Identifying opportunities to maximize revenue and development on lands now being used as drainage retention basins are no doubt important considerations. However, they are <u>not</u> more important than constitutionally-protected gathering rights; they do <u>not</u> override the laws of our state, which require Haseko <u>affirmatively</u> demonstrate that bulldozing the berm and widening drainage way channels – uses that are certain to increase the volume and velocity of polluted storm water dumped into the previously unspoiled House of Limu – will <u>not</u> affect Native Hawaiian rights; they do <u>not</u> trump the state's obligation to protect the health and safety of all its residents.

IMPACT TO TRADITIONAL & CUSTOMARY RESOURCES AND PURPOSES NOT AFFIRMATIVELY SHOWN

Limu will absorb chemicals and other pollutants in the water and make what would normally be a healthy food source dangerous to consume. In the case of Kalo'i Gulch/One'ula/House of Limu, prudent resource management means investigating and regulating the impacts from Haseko's bulldozing of a centuries-old berm that has served to shield these historic limu grounds from an onslaught of pollutants for all those years. Evidence that demonstrates that the quantity (or quality) of limu would be minimally impacted by increased run-off is not the same as saying that limu exposed to or that absorbs such pollutants

is safe to eat, safe to feed our keiki. To conclude that Haseko's proposed use is lawful and will not affect the health and safety of those who consume the limu gathered from the impacted area, requires evidence to support that conclusion. So where is that evidence? This Board should have that evidence in hand from Haseko, the applicant, before it is asked to grant any application.

Many of the communities in the networks we facilitate focus on improving natural resource management and restoration of native food and ecological systems, values and ethics more sensitive to the needs of their wahi (their places). This include limu loea in the Limu Hui, founded by Uncles Henry and Wally Ito to perpetuate practice and restore limu beds for customary food, practice and nearshore conservation. These individual community values, passions and actions are also an important resource, a treasure and legacy of our state. Poisoning the House of Limu begins to further sever ties between the people of Hawai'i and their place and squanders an opportunity DLNR has to build partnerships and encourage more thoughtful commercial activity.

The importance of limu as an ancestral foundation to life on our nearshores is widely recognized and celebrated across all three of our networks and science as well. Indeed, a widely recognized quote from Uncle Henry was, "We watch that first raindrop that hits the island. We follow the raindrop all the way to the ocean, we don't let that raindrop get dirty. Because when that mountain water and that ocean water meet, when they come together that's when the ocean hānau, that's when the ocean gives birth." We urge you to ask yourself as you deliberate on this issue, what is it that we are continuing to help give birth to?

According to the state Public Trust Doctrine, it is not the traditional practitioner's responsibility to show that surface runoff is detrimental to limu on the shoreline. Rather, it is applicant, the private commercial user's responsibility to show that reducing the sand berm height and widening the drainage way channels will <u>not</u> negatively affect the limu or the people and the public trust purposes attached to it. The proper burden/test is affirmative, credible evidence that <u>NO HARM</u> will come to those who consume the contaminated limu.

Uncle Henry's contested case hearing is still unresolved. It is on appeal in the Intermediate Court of Appeals. Haseko should not be allowed to move ahead until all appeal processes have been resolved.

Aloha 'Āina Momona.

October 22, 2018

Department of Land and Natural Resources Attn: Board Members 1151 Punchbowl Street, Room 130 Honolulu, Hawaii 96813 blnr.testimony@hawaii.gov

Subject: Grant of Perpetual, Non-Exclusive Easement to Haseko (Ewa), Inc. for Drainage Purposes and Issuance of Construction Right-of-Entry Permit, Ewa, Oʻahu, Tax Map Keys: (1) 9-1-011: seaward of 007 and (1) 9-1-134: seaward of 006.

Agenda Item: D-7; October 26, 2018

Dear Chairperson Case and Members of the Board of Land and Natural Resources:

I personally **OPPOSE** the granting of a non-exclusive easement to Haseko (Ewa), Inc. to cut down the sand berm that protects the shoreline from storm water runoff. I have a connection to this place as this is where my parents bought their first home in 1959. I grew up several years in Ewa Beach at a time when families gathered together along the shorelines from "Hau Bush" or One'ula to Ewa Beach Park collecting limu (seaweed). Limu is culturally significant to Hawaii and necessary to our health and way of life for man and ocean life. Sadly, it has become scarce in many of the islands due to development realignments that have caused more harm to the ocean resources. In 2013, before his death, Uncle Henry Chang Wo took me to those familiar places which images of what I remember, were still ingrained in my mind more than 50 years later. He reminded me of how important that sand berm was to this place and how it protects that area from runoff. If this permit is approved, the landscape will no longer provide that protection and will cause major harm to the many varieties of limu that is growing and struggling to survive in the ever-changing environment by man.

Growing up also on the Island of Lāna'i and having lived here now for the past 25 years, I have seen many changes to the land naturally and by man. The realignment of dirt roads by cutting down natural berms, dozing and filling in natural runoffs that had been there for many years were done just to accommodate vehicles. The damages from that is the constant dirt and silt that flows into the ocean when there is heavy rain. Reducing the height of the sand berm in Ewa by Haseko, WILL negatively affect the limu, the ocean resources and the people who use the area.

The people of Hawaii depend on our healthy oceans and abundant fisheries. We want to ensure that the generations after us will be able to have these resources available to them as it has been for our ancestors. The State of Hawaii Department of Land and Natural Resources should take the responsibility to protect our *natural resources*.

This tri C. Cootale

Thank you for your consideration.

Christine C. Costales

Secretary

Kupa'a no Lana'i P. O. Box 630422

Lanai City, Hawaii 96763

(808) 559-0436

Dennis H. Fujii Pamela Lota Fujii 520 Kuli'ou'ou Road Honolulu, Hawai'i 96822 <u>kapiolehua@gmail.com</u> (808) 255-6207

October 24, 2018

Department of Land and Natural Resources Attn: Board Members 1151 Punchbowl Street, Room 130 Honolulu, Hawai'i 96813 blnr.testimony@hawaii.gov

Subject:

Grant of Perpetual, Non-Exclusive Easement to Haseko (Ewa), Inc. for Drainage Purposes and Issuance of Construction Right-of-Entry Permit, Ewa, Oʻahu, Tax Map Keys: (1) 9-1-011: seaward of 007 and (1) 9-1-134: seaward of 006.

Agenda Item: D-7; October 26, 2018

Dear Chairperson Case and Members of the Board of Land and Natural Resources:

My name is Dennis H. Fujii and my wife is Pamela Lota Fujii. We have lived in the moku of Kona in the ahupuaa of Kuli'ou'ou for 37 years and are volunteers with the Ewa Limu Project, Limu Hui, Waimanalo Limu Hui, Paepae o He'eia, Keiki O Ka Aina Papa e Pohaku Ku'i 'ai, Hui Malama O Ke Kai, the Maunalua Fishpond Heritage Center, Hui Maka'ainana o Makana, and Kua'āina Ulu 'Auamo (or KUA).

As volunteers for these community organizations we have the humble privilege to help restore our fishponds, native limu and nearshore habitats to ensure that traditional and cultural practices are sustained for future generations.

Uncle Henry Chang Wo, our kumu grew up on One'ula Beach where every type of native limu could be found when he was a child. At the time, the abundance of the area was managed by kūpuna who knew the seasons, set kapu, and regulated uses. For decades, Uncle Henry advocated to keep the underground water flowing and the native limu growing, in an area where urban development drastically altered the coastal and marine environment.

Uncle Henry passed in 2015. Uncle Wally Ito, Pam and I continue Uncle's legacy to educate people about the cultural significance of limu to our communities and the marine importance of limu for our keiki, our youth and for those yet to be born.

We oppose the granting of a non-exclusive easement to Haseko (Ewa), Inc.

We believe reducing the height of the sand berm will allow stormwater runoff to flow directly into the ocean carrying with it silt and pollutants which will have a negative effect on limu abundance. Chemicals and other pollutants in the water will be absorbed by limu making what would normally be a healthy food source dangerous to consume.

Mahalo for your service to our community and this opportunity to submit our written testimony.

Aloha 'Āina Momona.

Dennis H. Fujii and Pamela Lota Fujii

Attachment:

Photo of Uncle Henry teaching keiki Photo of Ewa Beach Limu Abundance





October 25th, 2018

Department of Land and Natural Resources Attn: Board Members 1151 Punchbowl Street, Room 130 Honolulu, Hawaii 96813 blnr.testimony@hawaii.gov

Subject: Grant of Perpetual, Non-Exclusive Easement to Haseko (Ewa), Inc. for Drainage Purposes and Issuance of Construction Right-of-Entry Permit, Ewa, Oʻahu, Tax Map Keys: (1) 9-1-011: seaward of 007 and (1) 9-1-134: seaward of 006.

Agenda Item: D-7; October 26, 2018

Dear Chairperson Case and Members of the Board of Land and Natural Resources:

I am submitting this testimony in opposition of the granting of a non-exclusive easement to Haseko (Ewa), Inc. As a friend of Uncle Henry and an academic who studied limu, I know how deeply important limu is for Native Hawaiians and local people and how central Uncle Henry and Ewa are to limu traditions on Oʻahu. Uncle Henry always told me, as he told everyone, that limu need the fresh water. Starting with the raindrops that fall on the top of the mountains, that fresh water runs down on the shoreline, or bubbles up at the shoreline as submarine groundwater discharge, and is what feeds the limu. Diverting water for development or delivering water full of silt, sediment or excessive nitrogen are detrimental to limu and other marine life. Loss of limu would be a heart-breaking loss, as they are a key component of Native Hawaiian traditional diet and way of life.

I arrived to O'ahu in 2010 to begin a MS degree in Botany with interests in ethnobotany, nutrition and wiid gathered plants. I wanted to study a plant that was of high cultural importance to Native Hawaiians and which continued to be important today. Limu was the perfect choice. My lab mate who grew up on O'ahu told me that I needed to meet Uncle Henry (Chang Wo), and that the way to meet him was to go to Ewa Beach and look for him. I didn't find him at Ewa Beach, but instead met him and Uncle Wally (Ito) at the Hana Limu Festival on Maui because we were the only people staying in a rental house near the festival. These two limu experts took me under their wing, introducing me to cultural practitioners and inviting me to take part in limu-related events. This is when my project really took off. Through interview with limu gatherers and time with Uncle Wally and Uncle Henry, I learned about the deep cultural significance of limu and about how much sadness people had about the decline in limu abundance on O'ahu. Pollution and development were some of the main threats that cultural practitioners cited for the reduction in limu on O'ahu in interviews and surveys. They described how when swimming at Kaimana Beach, the limu kala used to tickle your legs and how in driving to Hau Bush (One'ula) you could smell the limu lipoa as you approached the beach park. Though much of the limu on Oahu has been lost, but there is still a richness to be saved. Uncle Henry volunteered so much time to spread the word about the importance of limu including hosting community and university groups at Hau Bush. Limu has nutritional, ceremonial, and other cultural significance in Hawaii and is the base of the marine food chain. I believe we can find ways to develop that are innovative and which will not harm limu. It is well worth the effort to design stormwater run-off solutions that are safe for the ocean and tailored to their specific location and context.

I hope you will oppose this easement. Please let me know if I can provide any further information.

Thank you,

y. Fredolicas Mart

Georgia Fredeluces Hart Ph.D. Candidate, Dept. of Botany, University of Hawai'i at Mānoa gmhart@hawaii.edu Gardner Kahikina Fujii 98-861 Iho Street #70A Aiea, Hawai'i 96701 gkfujii@hotmail.com (808) 382-9954

October 25, 2018

Department of Land and Natural Resources Attn: Board Members 1151 Punchbowl Street, Room 130 Honolulu, Hawai'i 96813 blnr.testimony@hawaii.gov

Subject: Grant of Perpetual, Non-Exclusive Easement to Haseko (Ewa), Inc. for Drainage Purposes and Issuance of Construction Right-of-Entry Permit, Ewa, O'ahu, Tax Map Keys: (1) 9-1-011: seaward of 007 and (1) 9-1-134: seaward of 006.

Agenda Item: D-7; October 26, 2018

Dear Chairperson Case and Members of the Board of Land and Natural Resources:

My name is Gardner Kahikina Fujii and I am a resident of the moku of 'ewa in the ahupua'a of Kalauao.

As a child I gathered limu with my parents and grandparents in Ewa Beach. I remember the beach was covered with many types of limu and my favorite was the Japanese ogo that my grandmother prepared shoyu style.

Limu is still an important part of Hawaiian culture and passing on limu knowledge continues all over our state. Mentored by Uncle Henry Chang Wo, my parents Dennis and Pamela Fujii and Uncle Wally Ito continue Uncle Henry's legacy to educate people about the cultural significance of limu to our communities and the marine importance of limu. I was privileged to know Uncle Henry before his passing and understand my parent's commitment and dedication to continue in Uncle's footsteps.

I oppose agenda item D-7: The granting of a non-exclusive easement to Haseko (Ewa), Inc.

Silt from storm surface runoff will have a negative effect on the already struggling limu population along the Ewa shoreline. That shoreline was once so abundant with limu that Ewa was called the "House of Limu". Limu readily absorbs any pollutants from its surrounding waters. Absorbing chemicals and heavy metals make limu unsuitable for subsistence gathering. This would be detrimental to the cultural and natural resources.

Mahalo for your service to our community and this opportunity to submit our written testimony.

Aloha 'Āina Momona,

Gardner Kahikina Fujii

Kökua to Perpetuate Uncle Henry's 'Ewa Limu Efforts

The Board of Land and Natural Resources (BLNR) is expected to grant an easement to Haseko Inc. which will allow them to proceed in reducing the height of a 500' section of the sand berm along the shoreline at One'ula Beach Park (Hau Bush). Uncle Henry Chang Wo was fighting this development effort prior to his passing. Waimānalo Limu Hui supports Kua'āina Ulu 'Auamo's (KUA's) effort to continue this fight and perpetuate opportunities for subsistence gathering in the 'Ewa Region.

The Issue:

Reducing the height of the natural sand berm will allow stormwater runoff to flow directly into the ocean carrying with it silt and pollutants which can negatively affect surrounding ocean water quality, and limu abundance. Chemical and other pollutant runoffs in the water can be absorbed by limu making, what would normally be a healthy and abundant food source, dangerous to consume.

By Signing Petition:

You are agreeing to urge the BLNR to **not** grant Haseko Inc. an easement to reduce the sand berm at One'ula Beach Park, 'Ewa Moku, Oahu.

**I support the preservation of the 'Ewa sand berm and KUA's efforts to continue Uncle Henry's appeal.

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1. Mamo Trueman	Adult Minor	mamo 2th Qsmail, com
2. KINOHI PICAPRO	Adult/Minor	kinshi @ paepaevheeia ay
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4. Amber Arthur (Adult Minor	amber Anymulama oke Kai ore
5. Pahony Coleman	Adult/Minor	
6. OHana Coleman	Adult/Minor	manamakana@jahoo.com
7. M. Ferandez.	Adult/Minor	1
8. Vancosa Keluholokai	Adult/Minor	
9. Dina K. allus	Adult/Minor	dalbinio @ hawaii.edu
10. Plan M	Adult/Minor	, -
11. Stell Alexis	Adult/Minor	asnif124@yaloo.com
12. Fleede Breann	Adult/Minor	breama. Fleego. com
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Kōkua to Perpetuate Uncle Henry's 'Ewa Limu Efforts

The Board of Land and Natural Resources (BLNR) is expected to grant an easement to Haseko Inc. which will allow them to proceed in reducing the height of a 500' section of the sand berm along the shoreline at One'ula Beach Park (Hau Bush). Uncle Henry Chang Wo was fighting this development effort prior to his passing. Waimānalo Limu Hui supports Kua'āina Ulu 'Auamo's (KUA's) effort to continue this fight and perpetuate opportunities for subsistence gathering in the 'Ewa Region.

The Issue:

Reducing the height of the natural sand berm will allow stormwater runoff to flow directly into the ocean carrying with it silt and pollutants which can negatively affect surrounding ocean water quality, and limu abundance. Chemical and other pollutant runoffs in the water can be absorbed by limu making, what would normally be a healthy and abundant food source, dangerous to consume.

By Signing Petition:

You are agreeing to urge the BLNR to **not** grant Haseko Inc. an easement to reduce the sand berm at One'ula Beach Park, 'Ewa Moku, Oahu.

**I support the preservation of the 'Ewa sand berm and KUA's efforts to continue Uncle Henry's appeal.

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Kōkua to Perpetuate Uncle Henry's 'Ewa Limu Efforts

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October 23, 2018

Department of Land and Natural Resources Attn: Board Members 1151 Punchbowl Street, Room 130 Honolulu, Hawaii 96813 blnr.testimony@hawaii.gov

Subject: Grant of Perpetual, Non-Exclusive Easement to Haseko (Ewa), Inc. for Drainage Purposes and Issuance of Construction Right-of-Entry Permit, Ewa, Oʻahu, Tax Map Keys: (1) 9-1-011: seaward of 007 and (1) 9-1-134: seaward of 006.

Agenda Item: D-7; October 26, 2018

Dear Chairperson Case and Members of the Board of Land and Natural Resources:

Please accept this testimony in opposition to granting Haseko Inc. non-exclusive easement in Ewa. The coral reef systems are an integral part of Hawaii, its people and the indigenous culture. Limu (algae) is a critical part of a healthy reef. The development of coastal lands are detrimental to the growth of limu and negatively impact the important food source for fish and people.

Disrupting the flow of water to the ocean has destroyed many of the limu varieties which we have depended on for protein and condiment. Growing limu in artificial environments is not the same as limu growing naturally seaside.

The health of the Hawaiian people have been hurt by actions which are detrimental to the natural processes of food growing as it has been for so many years. Hawaiians have been displaced from lands and prevented from accessing resources that they depend on for dietary and other health reasons.

Uncle Henry, Wally Ito and their supporters have devoted an enormous amount of effort to restore the limu at One'ula. We at Hookena stand by them in support as we are also facing the same issues in our struggles to protect the resources that link us to our kupuna and traditions. Many of the limu that our kupuna gathered and ate are no longer in abundance or have been replaced by other species.

The key to improving the health of an indigenous population is to look to their past and recognize the key elements of their system of providing sustenance appropriately and sustainably. Limu is a critical component of our dietary needs. Please consider our needs and future when you decide on this issue.

Mahalo Nui Loa, Damien Kenison KUPA Board Member PO box 38 Honaunau, HI, 96726 namamo@yahoo.com 808-987-9149

Alyssa Miller, Ph.D. P.O. Box 240131 Honolulu, HI 96824 Alyssa@Hawaii.edu

October 24, 2018

Department of Land and Natural Resources Attn: Board of Land and Natural Resources 1151 Punchbowl Street, Room 130 Honolulu, Hawaii 96813 BLNR.testimony@hawaii.gov

Re: Grant of Perpetual, Non-Exclusive Easement to Haseko (Ewa), Inc. for Drainage Purposes and Issuance of Construction Right-of-Entry Permit, Ewa, Oʻahu, Tax Map Keys: (1) 9-1-011: seaward of 007 and (1) 9-1-134: seaward of 006.

Agenda Item: D-7; October 26, 2018

Aloha Chair Case and Members of the Board of Land and Natural Resources,

My name is Alyssa Miller and I am an environmental planner and a board member of the Maunalua Fishpond Heritage Center, a nonprofit organization. I am writing to oppose the construction of this proposed stormwater outlet project at One'ula. This project would remove most of a protective berm as well as underlying rock, and fill in an area presently serving as a detention basin. The net result would be reduction of stormwater retention/detention and filtration capacity; which would in turn increase the potential for large stormwater flows to damage sensitive and culturally important nearshore ecosystems. Not only do large stormwater flows carry detrimental loads of sediment and pollutants, but too much freshwater at one time can be a pollutant and damaging.

The requested easement and construction right-of way permit should only be granted if the project is re-designed to adequately replace (and preferably to enhance) the amount of stormwater retention/detention, filtration currently in place; and to be consistent with current State and County best practices regarding stormwater management and flood management.

The Board should not dismiss the impacts small projects can have on the marine environment. The developer states that direct discharges to the ocean from the proposed channel will be 'very rare events', once in ten years on average, the implication being that they are therefore insignificant. However as we have recently witnessed, such infrequent but large flood events can cause serious damage to the marine environment. The April 2018 floods in southeast Oʻahu dumped tons of sediment (and presumably associated contaminants) onto the local reef. This sediment loading in an area of limited flushing represents a significant stress to marine ecosystems, one that will persist for years if not decades.

Over the last several decades, we as a State, have learned much about the consequences of modifying our watersheds and coastal systems. We have learned that creating 'runways' or 'water slides' out of watersheds, and enabling the discharge of large volumes of silt-and-pollutant laden stormwater directly into the ocean will lead to the degradation of both the watersheds and their associated coastal and marine ecosystems. We have learned of the necessity of taking an integrated, systems approach to managing water quantity and quality. And we have learned that flood management projects do not have to be environmentally unfriendly.

In policy and planning, the State of Hawai'i and the City and County of Honolulu now recognize the need for a comprehensive and integrated set of tools for managing water and watersheds. Best management practices (BMPs) for managing stormwater that protect restore or replace hydrological and ecological functions of watersheds have been developed. For example, goals, principles and best practices relevant to the proposed project at One'ula can be found in the following documents:

'Ewa Watershed Management Plan

https://www.boardofwatersupply.com/bws/media/files/Ewa-WMP_Public-Review-Draft_May-2017.pdf

Storm Water BMP Guide

http://www.honolulu.gov/rep/site/dfmswq/SW_BMP_Guide_REVISED_July_2017.pdf

LID Workbook: A Practitioner's Guide

http://files.hawaii.gov/dbedt/op/czm/initiative/lid/lid_guide_2006.pdf

Hawaii's Nonpoint Source Management Plan

http://health.hawaii.gov/cwb/files/2013/05/2015-Hawaii-NPS-Management-Plan.pdf

When designed and operated responsibly, stormwater and flood management projects can have enormous benefit to people and the environment. When designed and operated irresponsibly, they can have enormous adverse consequences.

I respectfully submit that the developer, (ideally in conjunction with State and County agencies), should go back to the drawing board and redesign this project based upon current policy, plans and best practices for stormwater and flood management.

Mahalo nui loa for the opportunity to comment.

Alyssa Miller, Ph.D.

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October 24, 2018

Department of Land and Natural Resources

Attn: Board Members

1151 Punchbowl Street, Room 130

Honolulu, Hawaii 96813

Blnr.testimony@hawaii.gov

Subject:

Grant of Perpetual, Non-Exclusive Easement to Haseko Inc. for Drainage Purposes and Issuance of Construction Right-of Entry Permit, Ewa, O'ahu, Tmk (1) 9-1-011: Seaward of 007 and (1) 9-1-134: Seaward of 006.

Aloha Chairperson Case and Members of the Board of Land and Natural Resources:

My name is Charles Young and I am submitting testimony opposing the Granting of Perpetual, Non-Exclusive Easement to Haseko as described above.

I am requesting that the Board of Land and Natural Resources take a hard look at whether a decision to permit a developer to opt out of its' responsibility to retain any surface flows resulting from its' own development in favor of having the DLNR allow those surface flows to flow directly into a public resource and whether that decision is good public policy. There are sufficient studies and evidence of the harmful effects to coral reefs and other near shore marine resources from storm run-off and other effluents. The magnitude and frequency of the recent rain storms and hurricanes seem to forecast that more protection from run off is required and not less.

The applicant makes reference to "upland land owners whose future development plans are currently constrained by the need to retain surface flows will benefit as a result" and that "the appraisal for the easement should consider the benefits by the proposed regional infrastructure to other lands owners in the vicinity, including the State". Benefits to private land owners and/or their efforts to develop their properties for profit should not be measured or equated to a public trust benefit. This is not a best practice and in principle is counter Hawaii's public trust doctrine. Surely the Board of Land and Natural Resources will recognize that. In effect the applicant is requesting that the State (vis a vis the general public) assume liability for the environmental impacts of the applicant's actions.

I do not believe that it is sound practice to grant the applicant conditional easement until all the contested case issues are legally resolved. The notion that one can come back and completely reverse and/or make whole a major alteration of an existing land formation is totally without substance.

I suggest that the developer engage in a comprehensive regional study with all other land owners to develop a master development plan for the region that identifies and mitigates all environmental and cultural impacts from future development before it seeks to amend or circumvent the existing statutes.

I reside on Hawaii Island and I grew up in Honolulu and lived in Manoa. My memories of Ewa was "country". Famous for its limu, my family would sometimes travel the distance from town to gather limu there.

I worked briefly with Henry Chang Wo who believed as I do that the natural flow of fresh water into the oceans is a major contributor to the health of limu. He stood firm in his beliefs and was resolved to protect the limu of his Ewa home. He and his message are widely supported throughout the state as he was one of the founding members of the Limu Hui. Mr. Chang Wo was granted standing in a contested hearing on the granting of the CDUP and were it not for his untimely passing the case may have already come to the same conclusion as Mr. Chang Wo.

As we move forward we must also move away from the practices that have resulted in the diminution of Hawaii's natural and cultural resources. My memories of Ewa and growing up in Honolulu are not a nostalgic walk down memory lane. Those memories help paint a picture of what living in a healthier and more productive ecosystem is like and can be for our children.

I am not against development and I encourage the DLNR to forge a new direction for developers toward practices that are sustainable for Hawaii and its' future generations.

Mahalo for this opportunity to submit comment.

Charles Young

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Kenneth Ho, Jr Safety Officer

Luana Albinio Kupuna Advisor Department of Land and Natural Resources Attn: Board Members 1151 Punchbowl Street, Room 130

Honolulu, HI 96813

blnr.testimony@hawaii.gov

October 23, 2018

RE: Opposition to granting Haseko, Inc. the Non-Exclusive Easement to Haseko Inc. at One'ula Beach Park area.

To Whom It May Concern:

The Board of Directors of Waimānalo Limu Hui write this letter in opposition of granting the easement to Haseko Inc. We write this letter in representation and with the full support from our advisors, community members, and the numerous volunteers of our hui.

The Waimānalo Limu Hui is a community-action group with our goal being to replenish the limu that once thrived in Waimānalo Bay. Waimanalo Bay there was once limu in such abundance that children grew up playing with limu wigs as they swam in the ocean, today there is only but a few species remaining. Our efforts with the Waimānalo Limu Hui mirror the decades of work Uncle Henry Chang-Woo with the 'Ewa Limu Project. Without Uncle Henry's fight to save and bring back the limu life in 'Ewa, many of the Limu Hui's across the state would struggle in their efforts to restore the once abundant plant of the ocean.

Granting Haseko Inc. the easement for the area of One'ula Beach Park shoreline resulting in Haseko Inc. proceeding with reducing the height of the sand berm will we detrimental to the nearshore fishery and coastal ecosystems. Reducing the height of the sand berm will allow storm water runoff to flow directly into the ocean carrying with it silt and pollutants which will have a negative effect on the coastal ecosystems as a whole. The pollutants carried down in storm runoff could contain toxic chemicals, biohazard materials, harmful bacteria, and other non-organic materials. These pollutants will drastically affect the life of the ocean and beach that surrounds these areas. There will be a decline in ocean health (both to animals and plants) and in addition could become a hazard for families to enjoy this beach.

For the Limu point of view the silt from the storm surface runoff will put all the work of the 'Ewa Limu Project to shambles. The 'Ewa shoreline was once so abundant with limu that 'Ewa was called the "House of Limu". We can see the

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restoration work go in full reverse mode and the native limu that is thriving in this are disappear once again. The silt will cause the water to become cloudier and will disrupt the sunlight needed for limu to photosynthesis. Without being able to photosynthesize the limu will not have enough nutrients to reproduce yet alone survive. Not only will the lack of sun be a problem but in addition limu absorbs nutrients from that water that it live in. This will result in the pollutants and chemicals in the storm runoff and silt will be sucked up by the limu causing these limu to longer be safe for eating or other cultural practices.

Limu was more to the Hawaiian people than an ocean plant for the fishes and turtles. Native Hawaiians would utilize limu for food, medicine, offerings, and gifts. We know this from mo'olelo and kupuna. Aunty Luana Albinio, Waimānalo Limu Hui's Kupuna Advisor, tells mo'olelo of her tūtū utilizing limu for multiple different lā'au lapaau, Hawaiian Medicines. For example, Limu Kala is one of the first foods served to a mother after the birth of her first child. The word kala means 'to loosen or to remove, the limu is given to loosen or remove any hidden diseases in the mother and child, through sharing breast milk. However, limu kala was not only used for lā'au, it was also used during ceremonies and for food. All native limu have multiple uses and if it weren't for kupuna like Uncle Henry and Aunty Luana passing this 'ike and knowing the importance of limu to the Hawaiian people this 'ike would be lost and so will the limu.

Protecting limu, passing 'ike Hawai'i and limu knowledge, and limu restoration are traditional and customary cultural practices. Knowing this and with our efforts in Waimānalo, we Waimānalo Limu Hui ask you not to grant Haseko Inc. the Grant of Perpetual, Non-Exclusive Easement. Granting this easement will be disrupting the native coastal ecosystem, killing or harming thriving limu populations, and lastly practitioners of the 'Ewa moku will no longer be able to gather limu for this area.

Mahalo piha,

Kirk Deitschman Secretary Waimānalo Limu Hui

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