

From: mark.consultant@yahoo.com
To: [DLNR, BLNR, Testimony](#)
Cc: [Save Kaiwa Ridge AnnMedeiros](#)
Subject: Opposition to CDUA OA-3818 on BLNR Oct 26, 2018 Agenda: Office of Conservation and Coastal Lands, Item 3.
Date: Wednesday, October 24, 2018 10:57:36 AM

To the Board of Land and Natural Resources

Written Testimony of Mark Steiner, member of Save Kaiwa Ridge

Opposition to CDUA OA-3818 on BLNR Oct 26, 2018 Agenda: Office of Conservation and Coastal Lands, Item 3.

1. I am a member of Save Kaiwa Ridge, a non-profit organization formed with the goal of protecting and conserving the open space on the ridges surrounding Kailua town, and with the intent of supporting other community organizations with similar interests throughout the State of Hawaii.
2. Save Kaiwa Ridge recommends that BLNR **deny** the CDUA for the single family house **including the agriculture activities proposed** (under the guise of reforestation and restoration and subsistence farming.) The wealthy realtor owner has no intention of living a subsistence life. She does have the money to influence regulators, but that would be exposed.
3. The natural open hills and ridges around Kailua create a beautiful, natural, scenic vista that is enjoyed by residents and visitors alike. The 37-acre project parcel is the last remaining natural open space in the Olomana section of Kaiwa Ridge. The Kailua community expected that the 37-acre parcel would to remain in open space when the State Land Use Commission in 1980 converted conservation lands for urban use for the Bluffs subdivision.
4. The entire project is larger than a house and farm. It has many components scattered through the environmental documentation. In its entirety the project has the potential of eliminating the 37-acre natural open space with accompanying loss of scenic value. The total project represents the incremental and cumulative loss of natural open space and scenic value in the Kailua and Koolaupoko region.

5. The proposed CDUA OA-3818 is agriculture encroachment into the Kailua Enchanted Lakes suburb with a house on the ridge to prevent vandalism and trespass. Siting the house on the ridge does not provide any additional prevention of vandalism and trespass.

6. The non-native forest is the existing natural, open space and exists because it has outcompeted native and canoe species. The existing non-native forest attenuates runoff and erosion without any need for irrigation or societal maintenance. Erosion on the project parcel is insignificant as stated in the proposed Forest Management Plan. Planting native and canoe plants require costs in manpower and funding to control of undesirable plants (weeds) in an area with a significant non-native seed bank.

7. State funding of the agriculture and use of the agriculture for education and harvesting and sharing of crops with the Waimanalo community are out of character with the quiet suburban setting, is not compatible with the locality and surrounding urban areas, and will have unforeseen and unintended consequences on public health, safety and welfare. This influx of workers would increase the vandalism and break-in rate in the Bluffs neighborhood. Agriculture zoned lands are designated in Waimanalo and across Kalaniana'ole Highway in the Norfolk Pines subdivision, which provide plenty of opportunity for that education. The stated intent of the owner is only a smokescreen.

8. In spite of best efforts to minimize and reduce, water runoff and erosion will increase. Best management practices and granted/approved water quality controls have not been effective on steep clay slopes common in the project region. None of the farm management and conservation plans or engineering plans substantiate that the erosion plans are applicable or effective on steep clay slopes in the project area. The project proposes to continue to discharge sediment and pollutants into a wetland, Kaelepulu Pond, which flow into Kailua Bay, with cumulative adverse effects to threatened and endangered water birds habitat and poor water quality. This would adversely impact 2 of the most desirable beaches in the world, according to several sources, Lanikai and Kailua Beach Park.

9. No alternatives were considered to reducing the size and location of the project components to avoid conversion of conservation lands, to preserve/conservate natural open space and its scenic value, or to avoid increased runoff and erosion into downstream wetland and Kaelepulu Pond.

10. No historic assessment was made in relation to the property having a common, ridge boundary with the Bellows Air Station National Historic Place. Neither has the State Historic Preservation Division concurred or approved the archaeological or cultural studies for the project or the conclusions that no further studies are needed and that the project has not effect on historic, archaeological or cultural resources.

I hope you will support the case of the area residents in opposition to this one wealthy realtor. That is the right thing to do!

Sincerely,

Mark Steiner

1604 Kanapuu Dr, Kailua, HI 96734

From: [Brian Isaacson](#)
To: [DLNR.BLNR.Testimony](#)
Subject: CDUA OA-3818
Date: Wednesday, October 24, 2018 9:28:15 AM

This proposed project is inappropriate use for land that was designated as Conservation land associated with the Bluffs development. The total project would reduce the present Kailua area natural open space by more than 12 acres, or 25%. Part of the attraction to buyers of property in the Bluffs was that the land was promised to be preserved as Conservation land without development, and while the homeowners in the immediate area would seem to benefit most from retaining the area as undeveloped Conservation land, the undeveloped land is a benefit to the entire community by conserving open undeveloped space.

The land as it exists now does not need improvement or development, as it is a mature forest providing erosion control. The current land owner, regardless of proposed intentions to maintain and improve the land has done little or nothing to maintain the boundary of the parcel, leaving that up to the owners whose land borders the parcel, so the burden of keeping foliage clear and drainage open falls to them, not the owner of the Conservation land. Development will only increase the erosion and run-off, affecting not only the Bluffs area, but also parts of Kailua's watershed downstream of the parcel.

The current owner has gone to great lengths to present a plan that appears viable, (after several false starts that probably reveal her true intentions for development of the parcel), enlisting the aid of a large corporation, Group 70, in an attempt to show that her chosen house site is the only one that is acceptable, when several other sites, less objectionable on several basis, have not been explored. Sites that would cause less soil disturbance, less objectionable views of any structure, and less long term impact on the community, are undoubtedly present in the parcel, but do not meet the wishes of the owner, who wants a house on the hill with a view, and so have not been examined, or examined and dismissed.

The agricultural portion of the proposal. whether a garden, canoe plants, or reforestation would be a continuing problem as the entire area is sloped to a greater or lesser degree, and periodic torrential rains would severely erode any tilled or open land, increasing run-off dramatically, affecting the downstream areas of Kailua. The noise pollution associated agriculture would be a continuous burden for the local residents, as well.

Overall, the development of the parcel of any kind, regardless of so-called justifications in the proposal, is a bad idea, and the better alternative is to let the land do what it has been doing for decades, which is to mature into a stable wooded area, with open space for all Kailua to appreciate. An additional concern with this proposal, is that once approval has been gained, the owner might possibly seek additional development, as noted in some of her original proposals, including more houses, a youth camp, etc. Too many portions of this proposal appear disingenuous to think that the owner does not have other plans in mind for the parcel.

Brian Isaacson
1659 Kanapuu Drive
Kailua, HI 96734

Written Testimony of Jessica Kosut
to the Board of Land and Natural Resources for October 26, 2018 meeting

Recommending Denial of the CDUA OA-3818, MHDE LLC, residence and
reforestation and restoration stewardship

This written testimony is provided in the event I cannot attend the schedule meeting. I am a physician by profession, where my schedule is dictated by the needs of others.

I want to thank the Board for the important and difficult work it has in managing Hawaii's lands.

I am a resident of the Kailua Bluffs on Kahako Street where my property abuts the MDHE 37-acre parcel. I am one of the Directors for Save Kaiwa Ridge, an organization interested in preserving and conserving open space in Hawaii.

Save Kaiwa Ridge has challenged the DLNR Finding of No Significant Impact and has provided detailed written objections to the total project to the Office of Conservation and Coastal Lands, which you should have been provided, as well as separate written testimony to the Board.

My written testimony is provided as an individual, wanting to emphasize my opposition to the project in its entirety, reflecting my personal concerns which are not emphasized by Save Kaiwa Ridge.

The Board knows that the natural, open space hills and ridges that surround Kailua are a unique, natural and scenic vista found nowhere else in the State; that the 37-acre parcel is the last natural open space on the Olomana end of Kaiwa Ridge when the Land Use Commission in 1980, when converting the conservation lands to urban use, and that for more than 25 years the Kailua community expected that the 37-acre parcel would remain undeveloped in natural open space.

The total project footprint is larger than a house and driveway, includes the farming Hawaiian canoe crops on 6-acres to be cost-shared by the State with a potential cooperative education, labor and cooperative harvesting with sharing of crops with the Waimanalo Neighborhood Board. Under the Forest Stewardship Management and Conservation Plan, the objective is to convert and manage the entire 37-acre conservation parcel for agriculture under the guise of stewardship, reforestation, and restoration.

Both plans do not contain any evidence that they could improve soils, runoff and erosion on the steep clay terrain of the project site, nor evidence that the plans were adapted or adjusted for the steep clay terrain.

The natural open space is a non-native forest common throughout the Koolaupoko region and provides improved soils, runoff and erosion control without societal costs. Whereas, the proposed cultivation has State cost-sharing, cooperative labor, and potential contract labor to achieve the soil improvement, runoff and erosion benefits naturally provided.

I find that the project without the house, farming the steep slopes do not meet the CDUA evaluation criteria:

1, 2, 3 and 6 - the project sans the house does not conserve, protect and preserve the natural forest, or provide soil, runoff and erosion benefits. Agricultural use converts more than 6 acres, as much as 100% of the conservation zoned lands to agricultural use, with the incremental and cumulative modification of the scenic value of natural open space in Kailua adjacent to a National Historic Place, Bellows Air Force Station.

4 - the agricultural uses of conservation lands in not compatible with the surrounding suburb, and should be relocated to agricultural zoned lands, or the parcel rezoned for agricultural uses;

5 - Farming on steep ridges will not be a clean, neat affair, that the landscape with be opened to erosion, littered with vegetative debris, and farming appurtenances for equipment,


7 - the natural non-native forest is converted to Hawaiian canoe and other crops is not reforestation or restoration, but a conversion of conservation lands, and

MORE SIGNIFICANTLY

8 - that farming to be implemented over more than a 5 -year period (10-year implementation) will have unforeseen and unintended consequences on public health, safety and welfare. Within the 10-year period of incremental implementation, there is no guarantee that farming practices will not change or that farming will even succeed. Cost and labor factors will create significant uncertainties, such that less costly methods of farming will be employed, such as chemical means of controlling weeds and brush, which I and others have experienced in 2014.

For these reasons, I request that the Board deny in total the CDUA OA-3818. I find that the agriculture conversion of conservation lands should be significantly reduced and restricted from the steep clay slopes on the 37-acre parcel.

Thank you for accepting my written testimony.


Jessica Kosut, MD
227 Kahako Street
Kailua, Hawaii 96734

Written Testimony of Wayne Takenaka
To the Board of Land and Natural Resources for October 26, 2018 meeting

Requesting Denial of the CDUA OA-3818, MHDE LLC, residence and reforestation
and restoration stewardship

I am a resident of the Mililani and visit the Kailua area often for business and friends.

I joined Save Kaiwa Ridge because of my interest in helping to preserve and conserve open space in Hawaii. The signature character of the Kailua area is the natural, open space ridges with the town, Kaelepulu Pond, Kawainui Marsh and Kailua Beach.

I have seen development obliterate the natural open space along our coasts and spread into ridges.

The Final Environmental Assessment for the project does not contain a total description of the proposed project. Besides the construction of ridge top house, the farming of the parcel, the project contains many undisclosed elements, such as State cost-share funding, Coop harvesting and crop sharing and restoring old jeep trails. I don't understand how the agriculture use of the conservation land can occur in the project area when agricultural zoning is available in Waimanalo.

I don't see why a ridge top mansion, a house with a therapeutic swimming pool, is needed to manage the land and farm.

Do you need reforestation when the forests already exist? Is the planting of Hawaiian canoe species really restoration? The Hawaiians cultivated their canoe crops on every piece of ground, terracing, denuding endemic forest and lands. The Natural Resources Conservation Service classifies the steep sloped project lands more suited to pasture than planting, suggests to me that Hawaiian potatoes are more suited to cultivation than trees.

I don't see how a single family can maintain 6-acres given how fast weeds recover and outcompete desired plants everywhere in the island. Given the steep terrain, I wonder how long it would take before maintenance switches from manual to mechanized and toxic chemicals.

I can foresee that conversion of open space to farm landscape crisscrossed with trails, ATV paths and open areas littered with vegetative debris. Not to even mention the inability to control or minimize erosion from the exposed soils.

For these reasons, I request that the Board deny the entire CDUA OA-3818.

Thank you for accepting my written testimony
Wayne Takenaka

Board of Land and Natural Resources
Kalanimoku Building
1151 Punchbowl St
Honolulu, HI 96813

23 October 2018

SUBJECT: Letter of Opposition to CDUA OA-3818 on BLNR Oct 26, 2018
Agenda: Office of Conservation and Coastal Lands, Item #3.

Chair Case and BLNR Board Members,

I am a long time resident and homeowner in Kailua, specifically the Bluffs subdivision. My property is not adjacent to the proposed development, but my property will be negatively impacted by the development as proposed in this CDUA. I request you DENY this permit application for the following reasons.

The open hills and ridges around Kailua create a unique, scenic vista not found anywhere else on Oahu. The 37-acre project parcel is the last remaining natural open space in the Olomana section of Kaiwa Ridge. The Kailua community was reassured over and over this 37-acre parcel would remain in open space when the State Land Use Commission in 1980 converted conservation lands for urban use for the Bluffs subdivision.

This is presented as a private home, but the land owner presented herself to the Waimanalo Neighborhood Board (not within the district of her property) with a request for assistance and endorsement for a work exchange for Native Hawaiian organizations which is akin to commercial activity. Agriculture zoned lands are designated in Waimanalo and across Kalaniana'ole Highway in the Norfolk Pines subdivision. State funding of the agriculture and use of the agriculture for education and harvesting are out of character with the urban setting. It also is inconsistent with stated Preservation goals of preserving open spaces. My concern is the potential, significant erosion run-off if/when reforestation/farming initiatives fail. This will have unforeseen and unintended consequences on public health, safety and welfare.

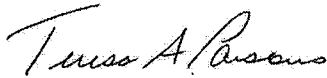
The project is much more than a house and garden (see attached project map). It has many components scattered through the environmental documentation (detailed in our October 22, 2018 comments contesting the DLNR Finding of No Significant Impact). In its entirety the project has the potential of reducing the 37-acre, natural open space by over 22% which will significantly impact the existing scenic view plane within the Koolau-poko region.

No alternatives were considered to reducing the size and location of the project components to avoid conversion of conservation lands, to preserve/conservate natural open space and its scenic value, or to avoid increased runoff and erosion into downstream wetland and Kaelepulu Pond. It is not "just the house". It is also the significant disruption required to place a driveway and infrastructure leading up to the

ridgeline development. The driveway alone (1200 feet in length) will be visible from Kalaniana'ole highway and Keolu Drive. The developer states the house will not be visible from the surrounding view but have presented no evidence other than saying "the current stand of trees" will hide it. Understanding construction, most trees and vegetation are cleared from the main pad to allow for construction machinery. This will take out most of the trees. The home elevation is listed to be at the top of the ridgeline. I've seen no evidence the home site has been relocated lower (as stated in the most recent public meeting).

No historic assessment was made in relation to the property having a common, ridge boundary with the Bellows Air Station National Historic Place. Neither has the State Historic Preservation Division concurred or approved the archaeological or cultural studies for the project or the conclusions that no further studies are needed and the project has no effect on historic, archaeological or cultural resources.

I do not object to the landowner building a home, consistent with the surrounding community, on this Conservation/Preservation land. I do object STRONGLY to the current location which will negatively impact the land which is held by the State of Hawaii for conservation of open, natural space. The home can reasonably be built at a much lower elevation, and not create a 1,200 long, 16-20-foot-wide driveway which will be an eyesore to the entire Kailua community.



Teresa Parsons
3072 Kahako Place
Homeowner



W&A
WATER & AIR
ENGINEERS

TO THE PROPERTY AND
SURFACE OF THE
LAND

TO THE PROPERTY AND
SURFACE OF THE
LAND

Mr. Sam Lemmo, Director
Office of Conservation and Coastal Lands
Department of Land and Natural Resources
State of Hawaii
PO Box 621
Honolulu, Hawaii 96809
Attn: Alex Roy

Written Testimony From Mrs. Cathy Joseph and Dr. Joe Giannasio
to the Board of Land and Natural Resources for October 26, 2018 meeting
**Recommending Denial of the CDUA OA-3818, MHDE LLC, residence and reforestation and
restoration stewardship in it's entirety**

This written testimony is provided in the event we cannot attend the schedule meeting, Joe is medical doctor by profession, and Cathy is a special education consultant, where our schedules are dictated by the needs of others.

To Whom It May Concern,

We are members of the Save Kaiwa Ridge initiative and homeowners of 264 Kahako Street, Kailua, HI 96734. We appreciate your attention to deny any Conservation District Use Applications that could go against the natural open space ridge that was the attraction of our home purchased 14 years ago. We are second owners and believe that the proposed plan for a CDUA for house and agriculture is far from a simple one that complies with surrounding community whatsoever. In fact, after attending many community meetings and hearing the proposals over many years by the land owner herself, we feel this should be considered a huge **change initiative** to forever alter our neighborhood, ecosystem, views, community moral and sense of privacy.

Our hillside and street is not holding up well as it is. We all helped with 2018 flooding of garages, ground floors, sandbagging and pumping excess waters simply caused by flash floods. We were literally stuck, unable to exit our driveway with vehicles due to an enormous sink hole formed by our trade storm occurrences. We believe public health and safety will be at great risk if there is a major disturbance on the ridge line. We know that our livelihood and trust in the system will be devastated if the project is not mandated to scale down to be proportionate with our community.

Please help us by being that neutral gate keeper so that relationships may build, be favorable and positive and the Kailua Bluffs community can once again be in harmony. We feel as soon as reasonable limitations are imposed and committed to, we can then start to repair adverse relations.

Mahalo for your time and support, Mrs. Cathy Joseph and Dr. Joe Giannasio, date 10/24/18
(also mailed on 10/20/18)

10/24/2018

Chris Perrine
241 Kahako Street
Kailua, HI 96734

Department of Land and Natural Resources
Kalanimoku Building
1151 Punchbowl Street
Honolulu, HI 96813

Dear DLNR:

I am writing to express my opposition to CDUA OA-3818 on BLNR Oct 26, 2018 Agenda: Office of Conservation and Coastal Lands, Item 3. This project is on a ridgeline above my house, and I am concerned about the negative impact to the environment and particularly that this project will cause significant erosion that will flow down onto my property and into a wetland, Kaelepulu Pond, which flows into Kailua Bay.

The proposed project will include a house, a farm, and clearing an extensive road along the ridgeline. Construction of all three will lead to the destruction of the environment, particularly the forest that prevents runoff and erosion. We do not have sufficient information about how much land will need to be cleared, where the construction vehicles and materials will be stored, and what will happen with the cleared forest, and who will need to access this land.

Additionally, this proposed farm is far too large for a single family to handle. I have heard that the owner plans to enter into an agreement to harvest and share crops with the community of Waimanolo, which I do not believe is an appropriate use of this land. This farmland in an urban setting could negatively impact public health, safety and welfare.

Finally, I do not believe alternative options were considered, which is required. In addition to concerns about impact to my property and the environment, this is the last remaining open space in Kailua and the project will negatively impact the entire community. I request that this proposal be denied.

Thank you,



Chris Perrine
241 Kahako Street

To the Board of Land and Natural Resources

Written Testimony of John Sutton, homeowner of 219 Kahako St. Kailua Bluffs

Opposition to CDUA OA-3818 on BLNR October 26, 2018 Agenda: Office of Conservation and Coastal Lands, Item 3

1. This Kaiwa Ridge development and farm/forest management plan should be denied because the clay soil on the property is not suitable for farming and does not absorb water.
2. I built my house at 219 Kahako St. (adjacent to proposed development) over 25 years ago and the soil is mostly clay and does not absorb water.
3. The concrete culvert for water runoff between my property and the project never overflowed for 24 years but has overflowed and flooded my property twice in the last year because the culvert had gotten clogged with overgrown and loose vegetation.
4. Current owners of the project (The Horns) have allowed the forest and shrubs to overgrow over and into the water drainage culvert from their property, blocking the flow of water.
5. A written request from me to the Horns to maintain their property was responded to with a letter saying they can't clean their overgrowth because they can't reach the property conveniently. This excuse is ridiculous since all they have to do is grab a machete and walk up the concrete culvert along their property line and hack away. They have also said they plan to use manual methods for the cultivation and weeding of crops they intend to grow for the family and that they do not intend to hire employees or contract help. This is not believable given that in all the years they have owned the property, they have never lifted a finger to clear their overgrowth that encroaches into the concrete drainage culvert.
6. After first purchasing the property, Dawn Horn sent letters to everyone with property adjacent to hers warning them not to trespass on her property or even clean or landscape the property. Since then she has neglected the property by refusing to cut and clean the overgrowth.
7. The Horns refusal to maintain their property in such a way that it does not contribute to or cause the clogging of the drainage culvert, may leave me no choice but to consider taking legal action to recover monetary damages for past and future flooding caused by their negligence.
8. Please do not consider so much what the Horns and their expensive legal team and consultants say they are going to do, but consider how the Horns have acted since purchasing the property.
9. There actions have shown me that the Horns have not been and will not, going forward, be good neighbors or good stewards of Kaiwa Ridge. Their development and farming plans will only make water and soil drain faster from their property into an already overwhelmed drainage culvert and increase the frequency and severity of flooding of my property.

303 Kahako Street
Kailua, HI 96734
October 24, 2018

Board of Natural Resources
Kalanimoku Building
1151 Punchbowl Street
Honolulu, HI 96813

**Re: Opposition to CDUA OA-3818 on BLNR October 26, 2018 Agenda
Office of Conservation and Coastal Lands, Item 3**

To Whom It May Concern:

We are one of the original landowners of the Bluff's subdivision. When we purchased our parcel in 1993, we were told by our realtor that the remaining 37-acre parcel behind the Bluff's subdivision would remain conservation. As it stands, the 37-acre parcel is the last remaining natural open space on the Olomana portion of Kaiwa Ridge project area. Development has cut Kaiwa Ridge into two sections known as Lanikai and Olomana. With the approval of Ms. Horn's project, her project reduces the natural open space and scenic value by more than 12 acres or more than 25%!

While I am disappointed that the land was sold, I am not opposed to Ms. Horn building her residence. Her concern of trespassing and vandalism should not be a reason to allow a house on the top of the ridge! However; to be perfectly clear, we are **OPPOSED** to the way she wants to develop the 37-acres.

1. The whole project is much larger than just a house and farm (see attached map). [Exhibit A]
2. The whole project is not compatible with the suburban community.
3. Her house, farm and stewardship plans are agricultural practices that produce harvestable crops; therefore, they should be considered as one project.
4. State funding of the agriculture and use of agriculture for education and harvesting and sharing of crops with the Waimanalo community are out of character with the urban setting and are not compatible with the locality and surrounding urban areas.
5. The house and farm would be an encroachment of agriculture into urban zoned communities. Agricultural zone lands are in Waimanalo and Norfolk Pines.
6. The project will have adverse effects with erosion/sedimentation into the wetland and Kaelepulu and will have adverse effects on endangered species.
7. While we applaud Mrs. Horn's attempt at a Stewardship Program, based on the October 26, 2018 CDUA OA-3818, pages 6 and 10: **DLNR-Division of Forestry and Wildlife (DOFAW) and Forest Solutions, Inc.** [Exhibit B] your comments state "this work is nothing short of rebuilding a forest from the bottom up, a task that will take decades to

Mrs. Horn's attempt at stewardship. The Group 70 Final Environmental Assessment Report dated September, 2018 states on pages 432-436 [Exhibit C] that the cost for this project is budgeted at \$110,652, which doesn't include management plan. This is an average cost of \$11,000 per year over the next ten years. This cost is shared 50/50 between Ms. Horn and taxpayers. Costs can escalate and at what point do we as taxpayers stop footing ½ if the bill? What happens if this project never ends?

Furthermore; based on Ms. Horn's current plan [Exhibit A], her house will be directly behind my home. As homeowners, our concerns on a personal note are as follows:

1. Where on the property will she make room for all of the equipment she will need to use to clear the land and build her structures?
2. Where will all of the soil be placed/stored while she is excavating?
3. What plans does she have in place to control the erosion during the rainy season?
4. Despite best efforts to minimize and reduce water runoff and erosion during the project, what assurances do we have as homeowners that she will be mindful of our concerns and take precautions and necessary actions if the erosion is so severe that it overflows the drainage ditch behind all of our homes and causes damage and flooding? Neither the Preliminary Engineering Report, the Forest Management Plan or the Conservation Plan contain before and after runoff and erosion calculations or evidence that plans are applicable or effective in application in the steep and clay project area.
5. Will she be required to have additional fire hydrants and a larger water tank on her property for brush fires? Based on The Group 70 Final Environmental Assessment Report dated September, 2018 on page 424: 4.3.4: [Exhibit D] Wildfire: it states: "*Wildfire is and will continue to be the highest threat on this property due to its location within a dry zone...*"

Lastly, no alternatives were considered to reducing the size and location of the project components to avoid conversion of conservation lands to preserve/conserve natural open space and its scenic value. Kailua is nestled amongst the natural, open space hills and ridges that are unique and significant scenic vista found now where else in Hawaii. As a community, we don't want to lose our uniqueness and charm.

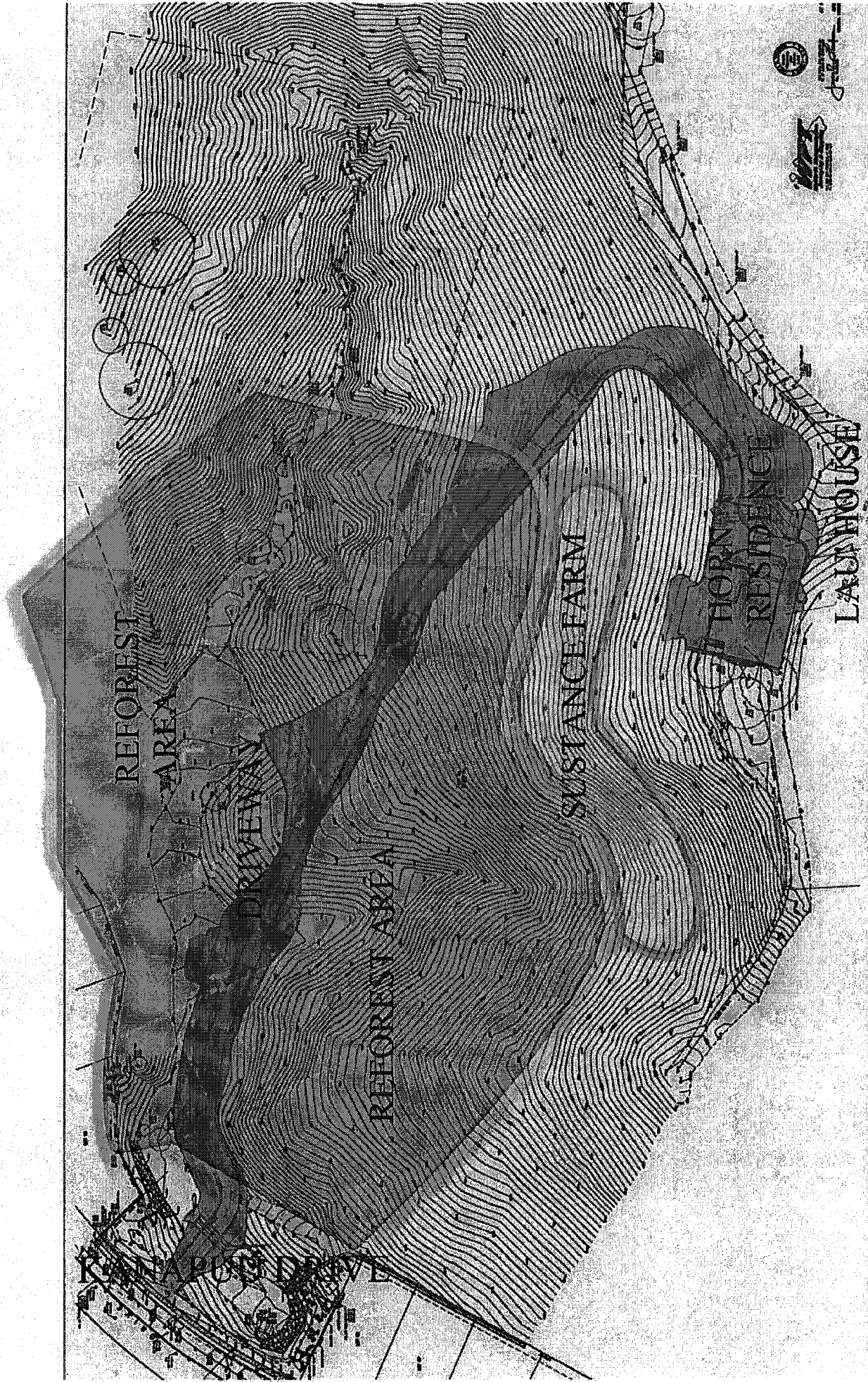
We hope that the Board takes our concerns under advisement.

Respectfully submitted,



Alex and Melissa Lau

Enclosure



*This map does not encompass the full property boundaries

Exhibit A

or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the Authority Having Jurisdiction (AHJ).

3. Submit civil drawings to the HFD for review and approval.

Applicant Response: The project will meet all National Fire Protection Association Fire Code including access road proximity to the home and provision of adequate water supply meeting HFD requirements. Civil engineering drawings will be submitted to the HFD for review and approval.

Forest Solutions, Inc.:

Our comments refer to the improvement in environmental quality resultant from the proposed actions.

The area contemplated for native dryland forest restoration is mostly devoid of its original vegetative cover, having been replaced by a multitude of non-native species, especially grasses and weedy shrubs. Actions within the management plan and the proposed CDUA, duly carried out will, without doubt, improve the environmental quality of this project area. This work is nothing short of rebuilding a forest from the bottom up, **a task that will take decades to complete.**

The dryland forest is sorely needed. Due to human settlement and constant fire pressure, dryland forest ecosystems are the most imperiled in the State and continue to face threats, especially from fires and climate change. Actions such as the ones proposed here, in aggregate, can change this pathway toward some modicum of survival. On Oahu and in the midst of urban development this is something to celebrate.

Forest solutions, therefore supports the adoption of the draft environmental assessment and approval of the relevant CDUA.

O'ahu Resource Conservation & Development Council:

O'ahu RC&D is an agriculture and conservation non-profit that assists farmers, ranches and landowners in managing natural resources. In May 2016, O'ahu RC&D drafted a conservation plan for this site, including a 0.6 acre area designated for subsistence agriculture. The plan was amended July 2016 and approved by the *Windward Oahu Soil and Water Conservation District*. The conservation plan included **general management strategies** that assist in reducing erosion and runoff, including practices like vegetative barriers, tree/shrub establishment, drip irrigation, and mulch.

Recommendations included in the conservation plan were based on guidelines established by the USDAS-Natural Resources Conservation Service, and the landowner is responsible for ensure that practices are implemented in a way that follows local, state and federal laws.

We understand the Horn Family is seeking a CDUP. We support the Horn Family in seeking such permits and implementing their conservation plan with the intent of reducing erosion and managing water runoff while 'stewarding' the natural resources on their property

5.9. Ecological monitoring (NRCS code 595)

Some degree of ecological monitoring is an important component of forest management. For the scale of tree planting proposed in this Forest Stewardship Management Plan, the landowner can maintain an effective monitoring program by conducting a quantitative assessment one per year by simply counting seedlings which have survived and comparing this number to the seedlings planted within the 0.3-acre forest restoration cells. A progress statement of performance that includes overall percent survival of reforested cell and photos should be documented. This will provide feedback on the efficacy of prescriptions.

The perimeter fence around the restorations area will require ongoing monitoring and maintenance to ensure ungulates (principally feral pigs) are excluded from the project area.

Although zoological monitoring is beyond the scope of this management plan, the landowner may implement an ancillary or passive zoological monitoring program to track observations as vegetation composition changes.

6. Budget and Schedule

The preceding management prescriptions are planned around a specific budget and implementation schedule based around the patchwork protocol. Each prescription is assigned to a corresponding USDA NRCS code, and is given a per-unit cost. Costs for site preparation, establishment, pruning, protection and monitoring are calculated on a per-acre basis. Costs of seedlings are calculated per individual plant, and costs of fencing, irrigation and mulching are calculated on a unit cost per feet or square feet. An annual budget for each of ten (10) years is provided below in Table 6. A detailed budget is presented for the first year of the project with a monthly schedule of work and expenditures. **Budgets have been prepared such that operational costs are allocated by year. The total project budget is \$110,652 (not including the management plan component) for ten years, or an average of \$11,000 per year.**

Table 6. Annual budget expenditures to implement restoration in the context of this Forest Management Plan. Operational

4.3.3. Pathogens, insects and invasive animals

During a brief site visit, no pervasive pathogens or insect problems were observed or discussed with the property owner. Given the location of the property we expect that typical pathogens and insects would be present that could affect plantings such as twig borers, thrips and gall wasps. Constant watchfulness for these threats should always be sustained as they can rapidly change.

The most problematic mammal known on the property is the feral pig (*Sus scrofa*). Feral pigs have been managed to keep their population low through regular trapping and hunting, however because the property is not currently fenced they are transient. Other mammals that are most likely present, but not observed during the site visit include monogoose (*Herpestes javanicus*), cat (*Felis catus*), feral peacock (*Pavo cristatus*) and rodents.

During the March, 2015 Final EA avian and mammal survey, all species detected were alien to Hawaii. The findings of the survey are consistent with the location and with the highly-disturbed nature of habitat present on the property (Final EA, March 2015). The long-term objective is to enhance or re-introduce native wildlife to the area, such as native invertebrates and pollinators. In order to accomplish this objective first steps are to re-establishing native plant species in a diverse native plant community.



4.3.4. Wildfire

Wildfire is and will continue to be the highest threat on this property due to its location within a dry zone, among wildlands and homes, and with the existing vegetative cover. The wildfire mitigation component is an essential part of this plan to be maintained.

The Oahu fire department will handle all fire response as typical, there is no further fire response plans or actions proposed under this plan for the property.

4.3.5. Hydrology

4.3.5.1. Streams and wetlands

The property does not contain any streams or wetlands. It does however have several drainage areas which are unmarked, but within topographical gulches. There are two primary gulches that see overland flow following heavy rain events.

There are also several drainage ditches along the boundary of the property and project site which were constructed by the adjacent subdivision developer. These drainage ditches were designed to collect runoff and carry it to the runoff detention basin below, which was also constructed as part of the development.

4.3.5.2. Rainfall patterns

Mean annual rainfall in this location is 40 inches per year and ranges from 1.5 inches per month in the comparatively dry summer months to 6 inches per month (Figure) in the relatively wetter months of November through March².

² Giambelluca, T.W., Q. Chen, A.G. Frazier, J.P. Price, Y.-L. Chen, P.-S. Chu, J.K. Eischeid, and D.M. Delparte, 2013: Online Rainfall Atlas

Roy, Alex J

From: Richard Haas <rhaas@midpac.edu>
Sent: Tuesday, October 23, 2018 5:18 PM
To: Roy, Alex J
Subject: Kaiwa Ridge objections

Mr. Sam Lemmo, Director
Office of Conservation and Coastal Lands
Department of Land and Natural Resources
State of Hawaii
P.O. Box 621
Honolulu, Hawaii 96809
Attn: Alex Roy

Dear Mr. Sam Lemmo,

My name is Richard Haas and I am a home owner in the Bluffs area of Kailua. I just wanted to voice a few of my objections to the proposed building project that is set to be built on conservation land in my backyard.

I am opposed to the proposed project in the Bluffs area on Kanapuu Dr. I believe where the house is planned to be built will be too visible and will take away from the beauty of the untouched area in the conservation land above the Bluffs subdivision. If we can keep Kailua beautiful, especially on the tops of the hills, we should do it. Please allow them to build the house at a lower elevation so it can be hidden from view.

I also think that a 7+ acre farm is too big and not necessary on the top of the mountain. It will be very difficult for the family to take care of by themselves and could cause flooding and run off problems for the people below. Please consider allowing a smaller garden growing area that can be large enough to grow regular fruits and vegetables for consumption and be easily maintained by the family. A smaller farming area also would have less of a chance of having a negative impact on the surrounding community.

I would really appreciate if you would please take some time to consider my objections.

Thank you,

Daniel & Meredith Croghan
233 Kahako St.
Kailua, HI 96734

Mr. Sam Lemmo
Administrator
Office of Conservation Coastal Lands
Department of Land and Natural Resources
P.O. Box 621
Honolulu, HI 96809
Attn: Alex Roy

RECEIVED
OFFICE OF CONSERVATION
AND COASTAL LANDS
2018 OCT 24 A 11: 57
DEPT. OF LAND &
NATURAL RESOURCES
STATE OF HAWAII

October 22, 2018

RE: Comments on the Board's Consideration of CDUA OA-3818, *MDHE, LLC Single Family Residence, Landscaping, and Agricultural Project*

Our family lives on Kahako Street directly downslope from the proposed development of Ka'iwa Ridge. We have lived as neighbors of the parcel owned by Ms. Dawn Horn and her family for 15 months and the following comments come from our first-hand experience as homeowners and members of the Kailua community.

We are writing to express our hope that the Board does one of two things regarding the CDUA application submitted by Ms. Horn, the *MDHE, LLC Single Family Residence, Landscaping, and Agricultural Project* (the "Project"): the Board should 1) deny the CDUA outright, or 2) require the applicant to conduct a full Environmental Impact Study ("EIS") on the proposed Project.

We believe it would be inappropriate for the BNLR to act on the Finding of No Significant Impact ("FONSI") issued by the OCCL on September 23, 2018. As made evident by the memorandum from Suzanne D. Case, OCCL issued the FONSI despite two major uncertainties: 1) whether the location of MDHE's preferred location will interfere with Kailua's important viewplanes, and 2) the proposed cut and fill amounts associated with Horn's preferred 1,220-foot-long driveway. These two OCCL staff comments alone demonstrate is that *more study of the Project is needed*, in the form of a full EIS. Ms. Horn's proposal is remarkably devoid of the details that are required to truly understand the adverse effects this project would have on the surrounding community; G70's repeated refrain that details will be worked out in the permit process is unacceptable for a project of this magnitude and visibility.

In addition to the two issues highlighted by OCCL staff, the following are a few additional details that we believe argue against granting the CDUA at all or, at a minimum, requiring a full EIS:

- More detail is required regarding construction plans, including where control berms will be located, where construction vehicles and heavy equipment will be staged and will turn around on the site, how cut materials for both the road and homesite will be managed and disposed of, and how those features will be restored at the end of the construction phase.
- There should be an express presentation of the alternative residence and road sites considered and the comparative environmental impacts of each site. G70's conclusory remarks that alternatives have been eliminated because of bedrock levels and cut and fill requirements cannot be taken at face value. The alternative chosen is the best and most profitable for Ms. Horn and the worst for the environment and the surrounding community, as well as being the most contrary to the purposes of the Conservation District in which it lies. The health of the property owner is NOT a factor that may be taken into account by the State's environmental assessment process and should play no role in the Board's evaluation of this application.
- The State should not allow MDHE to disregard its conservation and preservation goals by allowing the construction of the residence on the protected ridge while the same owner's contiguous urban parcels are not built on. This parcel was purchased cheaply in light of the restrictions on development and those restriction must remain to protect Kailua. Ms. Horn was a sophisticated purchaser and understood this fully from the start.
- What is the true scope of the agricultural activities that MDHE is planning? At various times, MDHE has discussed a subsistence farm, canoe crops, a cooperative with the Waimanalo community that would provide opportunities for exchange of products for labor, and other ventures. Not only is agriculture of the scale being proposed an incompatible use for land within the existing Kailua community, but putting agriculture on the steep slopes of the Ka`iwa Ridge is not compatible with runoff and debris control goals. This impact has not been accounted for in the current EA. And the number of laborers and the amount of equipment that will be required for the large range of activities she has described needs to be stated expressly and also included in the EIS. G70's representation that only a couple of laborers outside the Horn family will be performing all this work—the "stewardship activities", the agricultural projects, and all basic landscaping—cannot be taken at face value.
- At present, the steep slopes behind the residences on Kahako Street and Kanapu`u Drive are lushly forested and do a good job controlling erosion for those of us living below. Clearing all that land in order to reforest and restore with native plants as proposed by MDHE would create severe negative impacts on us downslope neighbors for years, until such reforestation efforts could take hold. None of those impacts are considered by the EA either.

While we do not oppose this landowner's right to reasonable use of her property, we do believe that such use must take into account the surrounding community and the vital importance of the portions of the property designated for Conservation use to the Kailua community at large and the Kailua Bluffs neighbors.

What is most disturbing to us as relative newcomers to Kahako Street is that, apparently, Ms. Horn has been trying to achieve her goal of building on the Ka'iwa Ridge off and on for years and most of the community's time and money have been devoted to pressing her to enunciate and document exactly what she is proposing, because it keeps changing. For example, after asking for years for something like the attached map, the community was finally forced to piece it together itself to understand the relationship between the proposed road and residence and the property's topography. Ms. Horn and her consultants likely refused to provide such a map because it starkly illustrates just how prominent this residence will be on Ka'iwa Ridge, despite their representations that the roof will only be visible from some viewpoints.

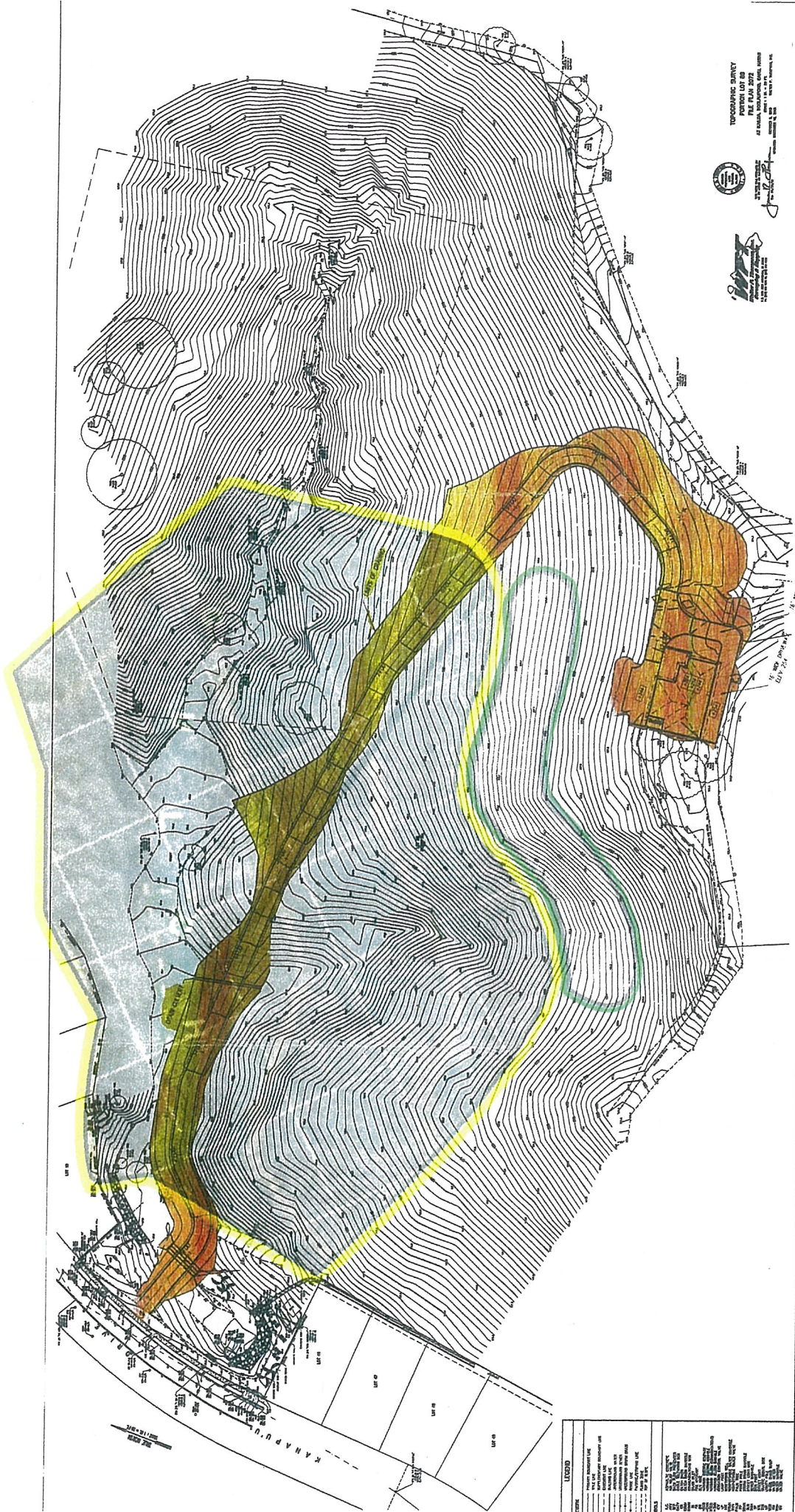
We hope that the Board considers these comments and either rejects Ms. Horn's CDUA application entirely or requires a full EIS before the State's consideration of the Project proceeds.

Thank you for your consideration,



Daniel & Meredith Croghan
233 Kahako Street, Kailua

Enclosure





 TOPOGRAPHIC SURVEY
 FOR THE ROAD
 AT KANAPUHA, OAHU, HAWAII
 SURVEYED BY: [Name]
 DATE: [Date]

SEE SHEET [Number] FOR CONTINUATION
 SEE SHEET [Number] FOR CONTINUATION

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780 4

From: Harvey Gerwig
To: DLNR.BLNR.Testimony
Subject: Testimony in favor of CDUA OA-3818 for 1711 Kanapuu Drive, Kailua, Oahu, TMK: (1) 4-2-004:001
Date: Wednesday, October 24, 2018 2:49:35 PM

October 25, 2018

Ms. Suzanne D. Case
Chairperson, Board of Land and Natural Resources
Department of Land and Natural Resources
1151 Punchbowl Street, Room 130
Honolulu, HI 96813

Testimony in favor of CDUA OA-3818 for 1711 Kanapuu Drive, Kailua, Oahu, TMK: (1) 4-2-004:001

Dear Chairperson Case,

Request for approval of the MDHE LLC Conservation District Use Application

(CDUA OA-3818), and the associated Forest Stewardship Management Plan and Conservation Plan.

I have been a resident of Kailua for the past 49 years and have a deep rooted love for Kailua and the surrounding neighborhoods. When I came to Hawaii in 1969 I attended the University of Hawaii to obtain my Bachelor's Degree in Business Administration and Real Estate, so I could start and successfully run a General Contracting firm in Hawaii, which I did. I have been retired from my company for several years now, but continue to work with the Horn family in a consulting capacity only. I have known the Horn family for more than 15 years and know them to be very environmentally conscious and respectful of our land. I have walked the subject land with the family on numerous occasions and my professional opinion is that the project is well founded, well engineered, thoughtfully planned and should be approved.

The Horn family is clearly capable of managing and completing The Forest Stewardship

1688

Management Plan and Conservation Plan proposed by MDHE LLC. This plan will vastly improve the six acres of Native Hawaiian mesic forest on their land and is a true testament to the tenacity and fortitude of this family.

The Horn family has answered all requests by DLNR for information and planning over the past FIVE YEARS and should receive approval of their requested CDUA on their **preferred home site, known as " SITE A "**, which clearly minimizes the visibility of the new home on the hillside and mitigates any "realistic" concerns of the community.

Please do the right thing and approve this application at this meeting, so the family can begin building their new family home for their retirement years.

Thank you,

Harvey F. Gerwig

1039 Kupau Street

Kailua, Hawaii 96734

Cell: (808) 306-7194

2082

From: Terry Seelig
To: DLNR, BLNR, Testimony
Cc: Save Kaiwa Ridge AnnMedeiros
Subject: Opposition to CDUA OA-3818 on BLNR October 26, 2018 Agenda: Office of Conservation and Coastal Lands, Item 3
Date: Thursday, October 25, 2018 8:52:36 AM

Please accept and include this testimony for Board review prior to decision making at its October 26, 2018 meeting.

Mahalo.
 Terry Seelig

October 25, 2018

Board of Land and Natural Resources
 State of Hawaii

Opposition to CDUA OA-3818 on BLNR October 26, 2018 Agenda: Office of Conservation and Coastal Lands, Item 3

Written Testimony of Terry Seelig

Aloha, I offer this testimony as a neighbor in opposition to the Horn family project (MDHE, LLC, CDUA OA-3818). I am Mr. Terry Seelig and reside at 1621 Kanapuu Drive. My home is one of the Kailua Bluffs homes that abuts the Horn family property.

The Horn family includes four members; Matthew, an attorney, Dawn, a relator, and their children Heather and Erik. The Horns purchased a 36.89-acre parcel in 2013 which was a remnant of the 1980s subdivision granted to the developer of the Kailua Bluffs. The Horn's property has about 30 acres classified as Conservation District (General subzone), and two portions, one approximately 4.7 acres, the other close to 2 acres, classified as Urban District.

The Horn family is now proposing to build a single family home on the 2 acre portion, which is the farthest away from the parcel's Kanapuu Drive access, and engage in a forest stewardship project, beginning with a six acre portion and eventually including the remainder of the property.

I do not object to the applicant's rights to use their property as allowed under State and County regulations. But I am opposed to the location of their single family home and to their forest stewardship plan.

I feel it would be more appropriate and in keeping with the character of the neighborhood where this property is located that any home construction be done on the approximately 4.7 acres portion of the property. This portion is closer to Kanapuu Drive and any homes built, of which there could be several, would fit in with the neighborhood and not impact the Windward community as much as building higher up on the property.

I also feel that the approved Forest Stewardship Management Plan has at least one significant gap and one major flaw. The major flaw is that the FSMP has been approved as a reforestation project but it is becoming increasing apparent that the purpose of the planting and

stewardship is to engage in afforestation and agroforestry that will result in a community-based agricultural enterprise. I ask the Board to consider statements made by the applicant at the June 11, 2018 Waimanalo Neighborhood Board meeting where they declare their desire to ask the community to help them with planting and harvesting and with providing fertilizer and other goods in exchange for produce grown on their property.

I am surprised that such an arrangement is not mentioned in the applicant's approved FSMP. It is becoming increasingly clear that the applicant's long-term objective is to incrementally change the entire property into an agricultural enterprise that trades labor and supplies for crops and more closely resembles a farm, even if crops are not sold.

I don't believe this is appropriate use of the applicant's Conservation District land. I also don't believe that such agricultural activity is in character nor compatible with the residential subdivision where it will be carried out.

I am also concerned that the FSMP does not adequately address the risk of wildfire on the property. There is no mention of what instructions or training will be provided to people performing the forest stewardship management practices that will help prevent the risk of fire ignition. There are no details of the routing of the private power lines and how the hazard of electricity will be managed to minimize the risk of ignition to vegetation.

I am fairly certain that either the Division of Forestry and Wildlife, or the Honolulu Fire Department would recognize that the fuels present, topography, wind and rain patterns combined with the proposed agricultural activities and the presence of energized power lines on a hill side where before there were none would classify this property as a high-risk fire prone area.

I ask that the Board deny the construction of a single family home in its proposed location, direct the Division of Forestry and Wildlife to require the applicant to revise its FSMP, and direct the Office of Conservation and Coastal Lands to require a fire buffer zone plan for the entire property as detailed in HAR Chapter 13-5, Exhibit 5.

Thank you for your attention to my concerns and my requests.

Sincerely,
Terry Seelig
1621 Kanapu'u Drive

From: Brodie Lockard
To: DLNR, BLNR, Testimony
Subject: Opposition to CDUA OA-3818
Date: Wednesday, October 24, 2018 11:57:40 PM

To the Board of Land and Natural Resources

Written Testimony of Brodie Lockard, 183 Pinana St., Kailua.

Opposition to CDUA OA-3818 on BLNR Oct 26, 2018 Agenda: Office of Conservation and Coastal Lands, Item 3.

1. I have owned my home in Kailua Bluffs since 2001.
2. I recommend that BLNR deny the CDUA for the single family house and the agriculture activities proposed under the guise of reforestation and restoration and subsistence farming.
3. The natural open hills and ridges around Kailua create a unique, scenic vista not found anywhere else in the State. The 37-acre project parcel is the last remaining natural open space in the Olomana section of Kaiwa Ridge. The Kailua community expected that the 37-acre parcel would remain as open space when the State Land Use Commission in 1980 converted conservation lands for urban use for the Bluffs subdivision. This was a selling point for the Bluffs properties.
4. The entire project is larger than a house and farm (see attached project map). It has many components scattered through the environmental documentation (detailed in the October 22, 2018 comments contesting the DLNR Finding of No Significant Impact). In its entirety the project has the potential of reducing the 37-acre, natural open space by 22-100% with accompanying loss of scenic value. The total project represents the incremental and cumulative loss of natural open space and scenic value in the Kailua and Koolaupoko region.
5. The proposed CDUA OA-3818 is agriculture encroachment into the Kailua Enchanted Lakes suburb.
6. The non-native forest is the existing natural, open space and exists because it has outcompeted native and canoe species. The existing non-native forest attenuates runoff and erosion without any need for irrigation or maintenance. Erosion on the project parcel is insignificant as stated in the proposed Forest Management Plan. Planting native and canoe plants requires manpower and funding to control undesirable plants (weeds) in an area with a significant non-native seed bank.
7. In spite of best efforts, water runoff and erosion will increase. Best management practices and approved water quality controls have not been effective on steep clay slopes common in the project region. The project proposes to continue to discharge sediment and pollutants into a wetland, Kaelepulu Pond, which flows into Kailua Bay, with cumulative adverse effects to threatened and endangered water bird habitat.

8. No alternatives were considered to reduce the size and location of the project components to avoid conversion of conservation lands, to preserve natural open space and its scenic value, or to avoid increased runoff and erosion into downstream wetlands and Kaelepulu Pond.

9. No historic assessment was made in relation to the property having a common ridge boundary with the Bellows Air Station National Historic Place. Neither has the State Historic Preservation Division concurred or approved the archaeological or cultural studies for the project or the conclusion that no further studies are needed and that the project has no effect on historic, archaeological or cultural resources.

Thank you for the opportunity to comment.

From: Katherine G. Hangai
To: DLNR,BLNR,Testimony
Subject: opposition to CDUA OA-3818
Date: Wednesday, October 24, 2018 3:44:13 PM
Importance: Low

To the Board of Land and Natural Resources
Opposition to CDUA OA-3818 on BLNR October 26,2018 Agenda: Office of Conservation and Coastal
Lands, Item 3
Written Testimony of Katherine and Robert Hangai

We have lived at 249 Kahako Street in the Bluffs neighborhood of Kailua since 1993. We urge the BLNR deny the CDUA for the single family house and to include agriculture activities. Maintain the Kaiwa Ridge land as is. Being the original home owners of our property, we are very concerned about any building or agricultural activities on this property.

Our concerns include;

1. Kahako Street has continuing erosion problems. There is water that runs under the road causing problems like potholes, water ponding, sink holes and lifting of the asphalt. There are often wet patches on the road even during dry times. The City and County has made an effort to repair the road over several years without success.
Has anyone from your department been out to examine the existing condition of Kahako Street?
2. There is also water flowing under my home! We have spent thousands of dollars in upkeep to stay ahead of the continuing erosion.
3. Where is this water coming from? Is it from a higher elevation? The infamous spring on the Horn property?
4. Will earth movement above our property cause more erosion in our neighborhood?
5. The Kaiwa Ridge is known as a natural open area that adds to Kailua's town beauty. It is important to maintain this as conservation land.
6. Before we purchased our property, it was made very clear by Location's Reality that there would be no development on the ridge due to it's designation as conservation land. Why is that changing?

Thank you for your attention.

Katherine and Robert Hangai

Sent from [Mail](#) for Windows 10

From: [John and Marian Leong](#)
To: [DLNR.BLNR.Testimony](#)
Subject: Opposition to CDUA OA-3818
Date: Wednesday, October 24, 2018 3:22:19 PM

As life long kama'aina of Ko'olaupoko and twenty year homeowners in the Kailua Bluffs sub-division, we respectfully request that the Board of Land and Natural Resources deny this project in its entirety (CDUA OA-3818).

A project of this magnitude will undoubtedly cause major changes to the composition, stability, and natural ground water absorption and drainage of the ridge and all down slope areas. A delicate balance now exists between the steep clay slopes and natural water runoff. The drainage ditch between the existing residences and the proposed home is barely adequate for current rainfall. Disturbance of the ridge top and loss of natural ground water absorption will quickly disrupt this balance and overwhelm the system, causing major runoff problems to the homes below. Erosion problems will soon follow. Estimates by the applicant of the amount of rainfall in the area have been greatly underestimated. Runoff and erosion will also have negative effects in downstream wetlands and Kaelepulu Pond, impacting endangered wildlife as well. Previous construction projects in the area have led to just such problems. Also, similar hillside projects in other areas of Oahu, such as Manoa and Nu'uuanu have resulted in property damage to the houses below, adverse modifications to the topography, and drawn out lawsuits involving developers, local government, and residents.

A portion of this project (six acres) is being dedicated to "agricultural education, harvesting, and sharing of crops" with the Waimanalo community. This makes no sense, considering Waimanalo and the nearby Norfolk Pines Estates already contain areas zoned for agriculture. It is also inappropriate to have such a venture in an urban setting and residential community and might even be considered a commercial enterprise. It seems as though the landowner is grasping at straws and coming up with any sorts of ideas to garner community support and empathy.

Reforestation and stewardship is another purpose claimed by the project. The ridge has evolved naturally into what it is today and does not need any help in continuing this process in the future.

Possible alternatives to the size and location of the proposed project should be considered. This way, the conversion of conservation lands could be avoided and open spaces atop the ridge line would be preserved. These open spaces and hills are part of what makes the Kailua community a scenic and unique part of Oahu. We must all work to ensure that this natural beauty of our 'aina lasts in perpetuity and not be ruined by the selfish actions of a few. It is all of our responsibility, our kuleana, to protect these lands. We implore you to do what is right, what is pono, and deny approval of this project.

Mahalo and Aloha,

John & Marian Leong
315 Kahako St.
Kailua, Hawaii 96734
808-262-5779
[email:honu315@mail.com](mailto:honu315@mail.com)

From: Gary Suzuki
To: [DLNR, BLNR, Testimony](#)
Subject: Written Testimony of Gary and Cindy Suzuki
Date: Wednesday, October 24, 2018 8:50:56 PM

Written Testimony of Gary and Cindy Suzuki
to the Board of Land and Natural Resources for October 26, 2018 meeting

Recommending Denial of the CDUA OA-3818, MHDE LLC, residence and reforestation and restoration stewardship

I am a resident of the Kailua Bluffs on Kanapuu Drive. My property is adjoins and abuts the 37-acre MHDE property.

While we are aware that DLNR has recommended denial of the house in CDUA OA-3818, it is not clear that the denial includes the reforestation and restoration as discussed in a limited way in the Final Environmental Assessment.

As such, we request that the Board deny approval or granting the CDUA for the proposed reforestation and restoration.

We are also perplexed by the urban zoning shifts on the property as all the figures we have seen are different. The farm seems to be located on urban zoned land as well as conservation zoned lands

While we question the need for reforestation, because a forest already exists, and restoration to a Hawaiian canoe and native species farm, we are concerned with the fact that the 6-acre farmed area runs up against the escarpment behind our property and farming activities of clearing vegetation, fencing and maintaining the fence maintenance area will erode or slump the escarpment and damaging our property.

We don't see why there needs to be a 6-acre farm in the gully and why the farming should be conducted on the steep, clay slopes in the hills behind our house. The forest management plan indicated that access up the steep ridge was difficult without clearing a path or road.

We foresee that hillside cut up with trails, open areas, and strewn with debris from fallen and cut trees. The environmental assessment and farm management plans do not address solid waste management from the farm construction and maintenance. We have seen the stormwater flow in the gully behind the house and have seen debris clog and block the drain under Kanapuu Drive. We are concerned that farming on the steep slopes will increase runoff and increasing the potential of clogging any drains constructed through a driveway on the property and Kanapuu Drive, increasing flood threat to us and our adjacent neighbors.

For these reasons, I request that the Board deny in total the CDUA OA-3818. If the Board decides to allow the farm without modification, I will ask my community to contest the decision. The Board consider reducing the size of the farm to fit within the floor of the drainage basin, move the farm off the steep slopes, remove solid waste and create a 50-foot buffer between the farm and all the adjacent residences.

Thank you for accepting my written testimony

10-23-2018

To: Mr. Sam Lemmo, Director
Office of Conservation and Coastal Lands
Department of Land and Natural Resources
State of Hawaii
PO Box 621
Honolulu, Hawaii 96809

Attn: Alex Roy

Subject:

Denial of the CDUA OA-3818, MHDE LLC, residence and reforestation and restoration stewardship in it's entirety

I am one of many homeowners who live within the slopes of the Kaiwa Ridge. I reside at 258 Kahako Street, Kailua, HI 96734 and have been a resident there for the last 22 years. I moved and built a home here for my ohana with the understanding that the Aina surrounding our Bluffs Development were forever "Conservation Preservation". This was the main reason I built here with that understanding and assurance.

Conservation -means the act of conserving prevention of injury, decay. water loss. The official supervision of rivers, forests, and other natural resources in order to preserve and protect them thru prudent mgt

Preservation -means to keep alive or in existence. To keep safe from harm.

With the propped plan for a CDUA being reviewed, it would go against all that this was meant to preserve and this development will endanger the safety of our homes and children.

As well as:

- major water runoffs and floods and probable landslides when it rains...and it rains here.
- constant soil erosion, dust, and rocks falling from the landfills above.
- always in constant fear of danger from above as we've seen in other homes surrounded by mountain or ridge..(ex.Palolo Valley, Hawaii Kai, Aina Haina)

We would appreciate your attention to denying any Conservation District Use Applications that could destroy this beautiful Aina as it presently is.

We know that our livelihood and trust in the system will be devastated if the project is not mandated to scale down to be proportionate with our community.

Mahalos,
Layne and Sharon Tanaka

From: [Lester M.H. Goo](#)
To: [DLNR, BLNR, Testimony](#)
Cc: [lester Goo](#); [Mike Lee](#)
Subject: Letter in Opposition to CDUA OA-3818 Horn Project
Date: Wednesday, October 24, 2018 11:26:40 PM

I recommend that the Horn Project, CDUA OA-3818, be denied in its entirety, for failure to meet the evaluation criteria.

I have been an owner/resident in the Kailua Bluffs area since September 1992; part of my incentive for wanting to live here were the well-framed promises/commitment by the developers of the area that the Kaiwa Ridge areas immediately adjacent to our homes would NOT be developed at all. Since then, I have seen the area develop into the well-planned community that we now have.

However, in recent times, I have seen things that cause great concern to myself and a great many of my neighbors. This is apparently caused by actions by the Horn Project promoters that will cause great disruption and turmoil in the normal and established order of things. The Kailua community expected that this 37-acre parcel remain open space when the Commission in 1980 converted conservation lands for urban use for the Bluffs subdivision.

First of all, there must be submitted for consideration all aspects of a full Environmental Impact Statement, due to the size of the project and many aspects it will touch. To my knowledge, there is no such full impact statement; instead, all there is a partial statement that barely covers a few of the topics needed to be fully discussed. There needs to be full discussion, for example, about the impact that digging will have upon the land and upon the adjacent Kawainui Swamp area. Erosion and sedimentation during times of heavy rainfall will have an adverse and severe impact upon wetland and Kaelepulu Pond, and upon endangered species.

The proposed house and farm is an encroachment of agriculture into urban zoned communities. The total project has significant adverse impact upon the natural open space and scenic value in the Kailua community. The existing forested area does not need to be reforested or restored. The proposal to have garden and canoe planting will only result in the Horns being able to produce agricultural harvestable products in large quantities that would require contracted or employed labor; we do not want or need such projects in our residential areas.

Such land should be retained as conservation land, and not as agricultural education, harvesting, or sharing of crops with the Waimanalo community; it would be out of character with the urban setting of this residential community, and will have both foreseen and unforeseen and unintended consequences on public health, safety, and welfare.

There is virtually nothing in the plan to minimize and reduce, water runoff and erosion. The project proposes to continue to discharge sediment and pollutants into the wetland of Kaelepulu Pond, which flows into Kailua Bay, with cumulative adverse effects to threatened and endangered water birds and other native fauna, and will only increase poor water quality.

For the sake of the community and for all who care to ensure that the Board meets its responsibilities in caring for the proper and effective use of the land in the area, I urge you, the Board members, to deny the Horn project, CDUA OA-3818, to deny all aspects of the project as well as the intended farm usage. The total project, representing the incremental and cumulative loss of natural open space and scenic value in the Kailua and Koolaupoko region, must be stopped.

Respectfully submitted,

Lester M.H. Goo
1691 Kanapuu Drive
Kailua, Hawaii 96734

From: [Grant Ken](#)
To: [DLNR.BLNR.Testimony](#)
Subject: Public Testimony for Ka'iwa Ridge project
Date: Wednesday, October 24, 2018 5:55:50 PM

Mr. Sam Lemmo, Director
 Office of Conservation and Coastal Lands
 Department of Land and Natural Resources
 State of Hawaii
 PO Box 621
 Honolulu, Hawaii 96809
 Attn: Alex Roy

Written Testimony of Grant Ishikawa, resident of Kanapuu Drive, Kailua, Hawaii

Opposition to CDUA OA-3818 on BLNR Oct 26, 2018 Agenda: Office of Conservation and Coastal Lands, Item 3.

Aloha Mr. Lemmo and Board Members of the Land and Natural Resources,

I am writing to the Board of Land and Natural Resources and to you as the Director of the Office of Conservation to express my concern over the proposed Kaiwa Ridge project.

My home is at 1611 Kanapuu Drive which is adjacent to the parcel of land being proposed for a single family residence and subsistence farming projects which overlooks my home and many others on our street.

The Save Kaiwa Ridge group has brought to my attention several issues which are concerning to me. The primary concern of mine is that this land is currently zoned Preservation and will be changed to Agriculture.

I'm not sure why the board considering a rezoning request by a someone who is not a farmer who wants to build a home on Preservation land and to do "agriculture". The irrigation and water runoff concerns could potentially impact multiple homes in the neighborhood and we have already had issues with erosion in our yards and water leaking through the retaining walls behind our homes and settling issues due to the softer clay hillside.

I cannot believe that irrigation on a hillside overlooking our homes will help the situation. The fact that the land was purchased cheaply isn't a concern. Land in Hawaii is expensive and kudos if you can obtain it cheaply. But to do agriculture on a ridge/hillside overlooking homes on clay slopes has to be a bad idea.

Gentleman farms are a way to make land affordable but on flat land, not when potentially putting neighbors at risk. It's not right and I'd like to ask the State for consideration in denying this project's request out of concern to the potential damage to the homes in the neighborhood. One families gain at the potential risk to many homes would be terrible as our only recourse to erosion or settlement damage would be to now prove that the damage was caused by the project.

All of the homes in the Bluffs are working families who live in their homes as a primary residence. We don't have the money to spend of legal battles with a mini developer whose project may damage our homes. Will there be State oversight over agricultural use and monitoring of the impact to the homes below the project?

I hope that you all understand that many folks in the neighborhood are in opposition to the project due for a variety of reasons. Mine is the concern over how this project may impact our homes. There have been several news stories regarding construction projects on hillsides and ridges affecting homeowners below – and their struggles are concerning when the residents are left to fight legal battles at their own expense.

Here is one of the examples that are concerning to me and while public good is a good reason for rezoning, the balance between the good of the many vs the good of the few should be considered.

<https://www.civilbeat.org/2017/07/oahu-valleys-are-prone-to-landslides-and-the-lawsuits-that-follow>

I hope the board is sympathetic to the concerns of the Kailua Bluffs residents and not allow this type of re-zoning where the risk to existing families homes is concerned.

Respectfully,

Grant Ishikawa

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