

**From:** [Susan Stayton](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] "Coco Palms" project  
**Date:** Tuesday, December 5, 2023 9:44:54 AM

---

I am writing to **STRONGLY** oppose several actions being considered in relation to this project on Kauai.

For a number of reasons including: traffic congestion, inevitable sea level rise, cultural significance, and developer misconduct this project should not be allowed to proceed. The developers have illegally used public lands to pursue their project without permission. They have failed to follow the requirements placed on them and proposed a development that does not honor environmental and cultural sensitivities. Now, you propose to make their illegal activities "legal" by retroactively providing them with access to public lands.

**THIS IS WRONG.**

Please reject all of the proposed actions relating to this project. We have regulations for a reason and to let a developer disregard them for their own profit is immoral.

Thank you for your consideration,  
Susan

Susan Stayton  
PO Box 1113  
Lawai, HI 96765  
808-651-9070

**From:** [Mary Ransbury](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] "Strongly Oppose Land Agenda Item D-6 12-7-23".  
**Date:** Tuesday, December 5, 2023 10:08:36 AM

---

To whom it may concern,

Please hold them accountable to the 75 coco palms cut down on state land. Please cease any development and permits issued to developers for coco palms.

Mahalo  
Mary Ransbury

--

Mahalo

M

**From:** [Bonnie Bee](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] 7 December 2023 - AGENDA ITEM D6 RP's - Oppose Reef Capitol Partners or RP21 application ( CONSTANT Corporate name change - due to Land Speculation - Please let RP's EXPIRE as leases legalize ▪ 31 December 2023 ▪ MAHALO  
**Date:** Tuesday, December 5, 2023 9:44:03 AM

---

PO Box 30848 Anahola, Kaua`i 96703

7 December 2023

MAHALO Chair Chang and Board of  
Land and Natural Resources Members,

We are hopeful and grateful for the *pono*  
out come on AGENDA ITEM D6 -  
auspicious date:

7 December 2023 - clearly, the proposed  
disaster isn't as grave as 1941 Pearl  
Harbor Day - *ekalamai* - although *pololei*  
action taken in today's *BLNR* meeting -  
decades of past mistakes *can* be  
corrected, thus consequently: *pololei*.

- CROWN LANDS are "*to be held in  
trust for Native Hawaiians*"

*PLEASE UPHOLD*

As well, would be developer, RP21 Coco  
Palms LLC (RP21) [OR Capitol Reef  
Partners] ( CHANGE of names of would-be-  
developers is *quite* changeable )

Submitted plans to the County for  
building permits that show their intended  
use of State Crown Land, Conservation  
Land and 3 parcels covered by  
revocable permits (RP's).

**QUESTIONING** the legality **of** RP21 obtainment of building permits from CoK (County of Kauai) to construct a wedding chapel on state land without first securing a lease or revocable permit from the State... These multinational financiers developer's consortia - seemingly are above the law.

A meeting on the 14th of April 2023, Dawn Chang, Director and Chair of the Board of Land and Natural Resources, asked how such a thing could happen without notifying the State.

- Also, on April 14, 2023 RP21 contractors had cut down at least 75 healthy coconut palm trees from state land without prior notice to or consent from the State.
- On April 19, 2023, the Office of Conservation and Coastal Land Management served RP21 with a Notice of Violation and Order requiring them to Cease the activity and answer for the trespass and damage to state property.
- That matter is still ongoing.

Now, *BLNR* on the 7th December 2023, the Land Board are considering the issue of extending *RP's* permits to RP21

" **NO** " - "**JUST Say NO** " -

- **CROWN Lands are to be held in TRUST for the General Public and Native Hawaiians**

- ¿ Burials ?
- Conservation Lands
- Congested intersection(s) by Wailua River and Kuhio Highway **AND** `Iliohale Rd and Kuhio Hwy entrance of WAILUA HOUSELOTS
- WWTP (Wailua Waste Water Treatment Plant) has been malfunctioning for decades

**SEWAGE DRAINS 670 feet from shoreline into the ocean...**

- Wailua River waters are very likely to be **MORE** polluted than it *already* is due to proposed demolition and construction because of a high water table and direct flow of both common **filth - chemicals** and debris between the site's drainage canal behind the hotel which runs under Kuamo`o to the Wailua River.
- **TSUNAMI EVACUATION ZONE**
- ¿ Defunct entity ?
- Lapses in taxes and etc.

**We Strongly Oppose Land Agenda Item D-6 - 7 December 2023 -**

Land Board **AGENDA ITEM D6**  
 7 December 2023

**PLEASE Reject** State of Hawaii - *DLNR* staff submittal recommending Revocable Permits be issued to whatever the consortium *current* legal

name is on the application for the soon-to-expire *RP's*: *namely RP21 Coco Palms LLC or Reef Capitol Partners or ?*

Dear Chair Chang and *BLNR* members

~

**PLEASE DENY** the following three (3) *RP's* [Revocable Permits] to whichever / however the developer's multinational consortia is legally named:

- RP21 Coco Palm's LLC
- Reef Capitol Partners

Issuance of Term, Non-Exclusive Easements to RP21 Coco Palms LLC, Wailua, Kawaihau, Kauai, Tax Map Keys: (4) 4-1-003:044 and (4) 4-1-005:por. 017

Issuance of Revocable Permit to RP21 Coco Palms LLC and Sale of Lease at Public Auction for Parking and Landscaping Purposes, Wailua, Kawaihau, Kauai, Tax Map Key: (4) 4-1-003:017; and

Immediate Right-of-Entry for Management Purposes to RP21 Coco Palms LLC, Wailua, Kawaihau, Kauai, Tax Map Keys: (4) 4-1-003:044, (4) 4-1-003:017 and (4) 4-1-005:por.017.

Coco Palms revocable permits previously issued to Coco Palms Ventures LLC will expire December 31, 2023 pursuant to the Land Board's Order of October 2023.

***Please, Let the RP's EXPIRE*** as they  
**ARE** to on 31st December 2023 !

***2024 Mālama Pono ~ ALOHA `ĀINA ~  
2024***

*LONOIKAMAKAHIKI*

*Hau`oli Makahiki Hou*

Sincere *ALOHA*

Bonnie P Bator `Ohana ( Keana`aina,  
Keli`iKoa, Ka`aokamalie and Kai )

***P.S.***

( Coco Palms Ventures LLC was a corporation that left Kauai in 2016 and failed to renew their DCCA registration or pay taxes or fees for the revocable permits from 2016 to present. Coco Palms Hui LLC was formed by Chad Waters and Tyler Greene who applied for all of the Coco Palms development permits after Coco Palms Ventures LLC had their corporate status involuntarily revoked by the State on December 4, 2017.

- As the Judge stated at the recent hearing on the AG's Motion to Dismiss on November 9, 2023, she found it perplexing that the Land board continued to renew the Coco Palms Ventures LLC revocable permits from 2017 to 2022 when the renewal was for a "defunct entity". )

- ( In February of 2021, RP21 Coco Palms LLC was formed by the entity that had foreclosed on Coco Palms Hui LLC, Chad Waters and Tyler Greene, in 2019. In 2023, RP21 paid for the corporate renewal and began using the name Coco Palms Hui LLC as an affiliate of RP21 Coco Palms LLC. )





**From:** [Red House Collective](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Against RP21  
**Date:** Wednesday, December 6, 2023 2:00:53 PM

---

Please. Wouldn't it be a great use of the land that was once Coco palms to be a park/Rec center for kids/ Space for cultivation of agriculture?

I think we would see an amazing turnaround in that entire area if we did this. You can be the change we wish to see and deny this. Please don't use our public resources for private interest. Mahalo.

**From:** [haunani@aloha.net](mailto:haunani@aloha.net)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Agenda D6  
**Date:** Tuesday, December 5, 2023 10:20:38 PM

---

Aloha State of Hawaii Land Board,

RE: Agenda D6 Coco Palms Hotel

My name is Haunani Rossi and I am a Kanaka Maoli. I was born and raised in Hawaii and have lived in the Wailua Houselots subdivision for over 40 years.

I own a parcel of land on Koki Road where I witnessed back in March/April 2023 un marked dump trucks doing illegal dumping of green waste, coconut trees, etc on a daily basis.

I am in opposition to agenda item D6 that pertains to the Coco Palms Hotel. I encourage BLNR to forfeit RP21 and any related entity of utilizing State lands for the construction of a hotel for the following reasons:

- \*environmentally sensitive with historical and cultural significance
- \*located in a coastal tsunami zone
- \*impacted by issues related to sea level rise
- \*adjacent to wetland areas
- \*impacted by frequent flooding (Garden Island Newspaper February 2021 people had to be evacuated)
- \*known habitats for rare native birds
- \*ancient fishponds and waterways that connect to and drain into the Wailua River
- \* traffic congestion both in our one entrance sub-division/Wailua Houselots and our main highway
- \* staffing and housing for employees (we already have a housing and staffing shortage on island)
- \*wastewater treatment facility

Sincerely,

Haunani Rossi, resident Wailua Houselots

Wailua, Kauai

**From:** [Faith Harding](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Agenda D-6  
**Date:** Wednesday, December 6, 2023 6:50:32 AM

---

Aloha~

We urge the Board to make the pono decision for Coco Palms on Kauai. These leases and permits should NOT be granted to RP21 for resort purposes. If granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343. Further development and hardening of these wetlands ecosystems degrades the resilience and environmental services that this is a sensitive environment and allowing the use of these State lands in conjunction with the planned resort commercial development will contribute directly to increased impacts.

Kuhio Hwy is already falling off into the ocean and Wailua Beach is almost gone. Seriously, you wanna see more of that? More tourists getting hit by crossing the road and the insane congestion that is already occurring with traffic in the Lihue - Wailua - Kapaa corridor on Kauai be impacted even more so to the point that local residents cannot get around not to mention emergency services. Stop this insanity.

I implore the Board to make a very calculating decision.

Mahalo.

Faith Harding  
Kilauea, Kauai, HI

**From:** [sharts](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] AGENDA ITEM D6-Coco Palms  
**Date:** Tuesday, December 5, 2023 1:09:31 PM

---

Aloha

NO to:

- NO to Term, Non-Exclusive, Easements to the RP21 Coco Palms LLC Developers for two state parcels (TMK 4-1-003:044 and 4-1-005:017). These easements will assist these developers in their plans for a hotel on the corner in Wailua through the use of these public lands.
  - NO to Revocable Permits (RPs) for and the sale of the Lease at public auction for the Kuamoo Rd corner state parcel (TMK 4-1-003:017).
  - NO to granting these developers “Immediate Right-of-Entry” for three state parcels to utilize public lands in the development of their 350 room hotel. (TMKs 4-1-003:044, 4-1-003:017 and 4-1-005:por.017)
1. That these leases and permits should NOT be granted to RP21; and
  2. That if they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.
- The further development and

hardening of these wetland ecosystems degrades the resilience and environmental services that this sensitive environment provides.

- The development of these coastal lands will negatively impact our resiliency to sea level rise and climate impacts in the coming decades.
- Allowing the use of these State lands in conjunction with the planned resort commercial development will **contribute directly** to increased impacts on the shoreline, nearshore water quality, and further degrade existing cultural, historical, and archeological elements.
- These lands are situated in **environmentally sensitive areas** with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River

Mahalo for the opportunity to voice my opinion.

Sharleen N. Isoshima

[Sent from Yahoo Mail for iPhone](#)

**From:** [Jessica Schmitz](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] agenda item (D-6)  
**Date:** Wednesday, December 6, 2023 9:09:22 AM

---

Hello,

I am writing to emphasize that as a member of the Kauai community, I strongly disagree with the development of another hotel at the old Coco Palms address. There are so many reasons why this would be a negative addition for kauai residents, so I'll name a few that come to the top of my mind. Firstly, it is going to decrease the quality of the water in the area. It is extremely close to the already dwindling shoreline. There is not much beach there, where will all of the new hotel guests go? Speaking of which, that is a very high traffic area, now we'll have to stop continuously to allow the influx of guests to cross the street to the water side. Back to the shore line, it is a sensitive area adjacent to wetland areas. These areas are known habitats for our rare native birds, putting them at further risk. The list goes on. I am asking for the following-

1. That these leases and permits should NOT be granted to RP21; and
2. That if they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.

Please keep the Kauai Community and lands best interest in mind. This is a big moment in our history and will be remembered.

Thank you,  
Jessica Schmitz

**From:** [Gayle Morrison](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Agenda item D-6 regarding RP21 Coco Palms LLC  
**Date:** Tuesday, December 5, 2023 11:34:59 PM

---

Dear BLNR members,

Having grown up, raised my family, and retired in Wailua, I have spent time in the area surrounding the Coco Palms property since the 1950s. As a teenager enjoying Wailua Beach, I could not have imagined how much the area has changed. The coast is now clearly imperiled by a changing climate. Sea-level rise has been eating away at the beach and threatens both the (relatively new coastal path) and the (now much wider) highway. Flooding occurs with increasing frequency. It is clear that action needs to be taken now to mitigate the worst effects of unavoidable climate change, which are, as I write this, being discussed at COP28. With these considerations in mind, I am writing to strongly oppose granting easements for use of public land that will facilitate plans to develop the Coco Palms resort.

The Coco Palms property and adjacent areas are environmentally fragile and culturally sensitive. The proposed development as a whole will have a negative impact on the surrounding area, including Wailua Houselots where my family home is located. Decisions made now will affect the environmental resilience of a region that is already under stress and the livability of the Wailua area.

Use of public lands to further a project that is, in my view, fundamentally unsound, untimely, and unsustainable should not be permitted. I urge you not to grant the leases and permits that are being requested. It is particularly important that leases and permits not be granted without the developers being required to submit an environmental assessment in accord with HRS343. Nothing is more important than safeguarding the 'aina for future generations.

Mahalo for considering my testimony.

Gayle Borges Morrison

**From:** [clairetonry@gmail.com](mailto:clairetonry@gmail.com)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Agenda item D-6, Coco Palms  
**Date:** Tuesday, December 5, 2023 10:49:40 PM

---

Dear Public Servants

I strongly oppose the use of public lands for private resort development currently under consideration in conjunction with the former Coco Palms property on Kauai's east side. In addition to destruction of cultural resources and potential for repatriating this area to rightful Native Hawaiian management, the authorizations will have unacceptable environment impacts.

A full environmental impact analysis and mitigation plan is necessary before these authorizations can be considered. Public review and comment, with a hearing, should be provided for once the environmental review is drafted. Endangered and endemic plants, invasive species issues, herbicide and water use, wetland impacts, and stormwater pollution impact associated with the contemplated construction, development and ongoing future proposed use of the area must all be included in the evaluation.

Thank you for your attention to these concerns.

Claire Tonry  
PO Box 1180  
Waimea HI 96796



**From:** [John Harder](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Cc:** [Mason Chock: iolawailuanui@gmail.com](#); [Lo Keana'ani –](#)  
**Subject:** [EXTERNAL] Agenda Item D6, Thur Dec 7th 2023 - Coco Palms Resort  
**Date:** Wednesday, December 6, 2023 8:54:00 AM

---

Aloha, as a resident of Kauai for over 50 years, former head of both the County & State Offices of Solid Waste Management, and member of Zero Waste Kauai and the Rotary Club of Hanalei Bay, I strongly oppose the use of public lands for resort development and remind BLNR that allowing the developers to use these public lands for the resort will have significant long term impacts on the community and the environment.

- The further development and hardening of these wetland ecosystems degrades the resilience and environmental services that this sensitive environment provides.
- The development of these coastal lands will negatively impact our resiliency to sea level rise and climate impacts in the coming decades.
- Allowing the use of these State lands in conjunction with the planned resort commercial development will **contribute directly** to increased impacts on the shoreline, nearshore water quality, and further degrade existing cultural, historical, and archeological elements.
- These lands are situated in **environmentally sensitive areas** with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean.

**Mahalo, John Harder, aka the Dumpdoctor**

**If you're not for ZERO Waste, how much Waste ARE you for?**

**From:** [maxine.graham](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Agenda Item D6  
**Date:** Wednesday, December 6, 2023 8:16:46 AM

---

I strongly oppose the use of these public lands for resort development and remind BLNR that allowing the developers to use these public lands for the resort will have impacts on the community and the environment.

1. These leases and permits should NOT be granted to RP21; and
2. That if they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.

These lands are situated in **environmentally sensitive areas** with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean.

Please require all environmental assessments to take place first; not just taking in to mind the myriad of issues with the sensitive environment but also the traffic, sewage waste management, additional impacts to our landfill and the unnecessary building of yet another hotel.

Maxine McGraw  
Wailua Homesteads Resident

**From:** [J.Rothe](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Agenda Item D-6  
**Date:** Wednesday, December 6, 2023 7:06:51 AM

---

To Whom It May Concern:

I oppose the use of public lands for the development of yet another resort (which Kaua'i does not need) and in so doing, infringing on land that is both culturally important and environmentally sensitive. I humbly request that the board:

- 1) NOT Grant these leases and permits to RP21; and
- 2) if they are granted to anyone, that the Board **MUST** require the recipients to do an environmental assessment in compliance with HRS343.

- The further development and hardening of these wetland ecosystems degrades the resilience and environmental services that this sensitive environment provides.
- The development of these coastal lands will negatively impact our resiliency to sea level rise and climate impacts in the coming decades.
- Allowing the use of these State lands in conjunction with the planned resort commercial development will **contribute directly** to increased impacts on the shoreline, nearshore water quality, and further degrade existing cultural, historical, and archeological elements.
- These lands are situated in **environmentally sensitive areas** with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean.

Mahalo,

Jennifer Rothe  
Ele'ele

**From:** [Katherine Smithers](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Agenda item D-6  
**Date:** Tuesday, December 5, 2023 9:26:57 AM

---

Aloha,

I wanted to submit my testimony in strong opposition of the granting of leases and permits to further the development of the former coco palms site.

I am asking:

1. That these leases and permits should NOT be granted to RP21; and
2. That if they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.

We need our public lands and ESPECIALLY our wetland ecosystems to be protected at all costs, now more than ever. The last thing Kaua'i needs is another resort. Hotels sit at partial capacity every day, wasting yet more resources that are needed by island residents. This delicate center of the island that already has the most extreme traffic problems coupled with the importance of the ecosystems there is much needed for consideration of anything that would help these developers move along

Thank you for hearing our testimony,

Kate & Roel Faber  
Kalaheo

**From:** [Irena](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Aloha BLNR - Re: Agenda Item (D-6)  
**Date:** Tuesday, December 5, 2023 10:35:17 AM

---

Aloha kākou BLNR,

**Regarding Agenda Item (D-6)** (Coco Palms project), I join the voices of many in **strongly opposing the use of these public lands for resort development** and in reminding BLNR that allowing the developers to use these public lands for the resort will have detrimental impacts on the community and the environment.

I urge the Board to make the right decision for the community and for the ‘āina. Please ensure:

- That these **leases and permits should NOT be granted to RP21**; and
- That if they are granted to anyone, the Board **MUST require** the recipients to do **an environmental assessment in compliance with HRS343**.

There are many vital reasons to protect these lands and waters with aloha ‘āina, mālama ‘āina:

- The further development and hardening of these wetland ecosystems degrades the resilience and environmental services that this sensitive environment provides.
- The development of these coastal lands will negatively impact our resiliency to sea level rise and climate impacts in the coming decades.
- Allowing the use of these State lands in conjunction with the planned resort commercial development will contribute directly to increased impacts on the shoreline, nearshore water quality, and further degrade existing cultural, historical, and archeological elements.
- These lands are situated in environmentally sensitive areas with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean.

It is vital that we protect and steward the ‘āina and waters for the well-being of future generations, and live aligned with the Hawaiian value of aloha ‘āina and word for wealth, wai wai, which inherently understands and respects the highest value is the well-being of the natural world that sustains us. We have much to protect and restore in these shifting, challenging Earth times.

Mahalo for all you can do to preserve culture, community and ‘āina, and for your time and consideration. Please make the pono decision and do not grant these leases and permits, mahalo nui.

with aloha,  
Irena

**From:** [Nikki Cristobal](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] BLNR meeting 12/7/23 testimony agenda item (D-6)  
**Date:** Tuesday, December 5, 2023 9:46:50 AM

---

Aloha,

I am submitting testimony for Agenda Item D-6 for the BLNR meeting on 12/07/2023.

I am writing to strongly urge the BLNR to make the decisions that are aligned with uplifting our community, cultural, and environmental health in Wailua and not the decisions that are in the best interest of profits for foreign development.

The BLNR should not grant leases and permits to RP21. If the leases and grants are given to RP21 (or anyone) the BLNR has a minimum duty to ensure that the law (HRS343) is followed by requiring environmental assessments. If the BLNR allows leases and permits to go to RP21 without the proper environmental assessments, BLNR is setting precedence to the community and all developers that the law doesn't matter if you have funding.

The leases and permits should not be given to RP21 for the purposes of a hotel, no matter how "culturally and environmentally responsible" they claim to be because developing on these specific lands is detrimental to the wetland ecosystems and will exacerbate sea level rise on these coastal lands. Additionally, using state lands for a private hotel would lead to negative impacts on our Wailua shoreline, water quality in the wailua river (which is connected), and would further displace and erase the cultural, historical, and archaeological components such as ancient burials, fishponds, native bird habitats, and lo'i kalo that are unique to this place.

I strongly urge the BLNR to consider the community organization, I Ola Wailuanui's proposals for stewardship of these lands. The BLNR should take seriously the options to mālama these public trust lands without supporting the harmful and disrespectful resort development on these culturally and environmentally fragile lands. If BLNR can consider RP21's proposal for permits then the BLNR can consider I Ola Wailunui's proposals as well.

Mahalo for your time,

-Nikki Cristobal, Ph.D.  
(Kaua'i Resident)

---

[nikkicristobal808@gmail.com](mailto:nikkicristobal808@gmail.com)

**From:** [Patrizia Arroyo](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco palm  
**Date:** Wednesday, December 6, 2023 6:59:29 AM

---

Aloha,

I oppose strongly the use of these public lands at Coco Palms for resort development and remind BLNR that allowing the developers to use these public lands for the resort will have impacts on the community and the environment.

We do have enough capacity for tourists.

But we do not have enough Hawaiian cultural public land.

Sincerely,

Patrizia Arroyo

**From:** [Ross Ranzenberger](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco Palms - Agenda Item 6  
**Date:** Tuesday, December 5, 2023 4:23:33 PM

---

Chair Chang and Members of the Board of Land and Natural Resources,  
I have worked on projects in Hawaii the past twenty years for the Church of Jesus Christ of Latter-Day Saints. I have studied Agenda Item 6 and would like to give you our support of the restoration of the Coco Palms Resort and the disposition of lands to RP21.

I have driven by this tragedy of a project many times and feel it deserves help from a developer who is willing to give back to the community with a comfort station and public parking which is so desperately needed at that location. These lands should continue their historic use. The past developers have failed at correcting the eyesore on the beautiful Island of Kauai but my experience with Reef Capital is that they will make the project a Class A property that the local island people can be proud of.

The restoration of Coco Palms will reactivate public use of this area and address the issue of homelessness and crime currently happening.

For these reasons, my wife and I strongly urge the BLNR to approve the recommendations by the staff for the disposition of these parcels. Thank you for your listening ear. Aloha



**From:** [Eleanor Snyder](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco palms  
**Date:** Wednesday, December 6, 2023 7:44:39 AM

---

Please do not allow this to happen should be public land. How are these developers being given such latitude when they have been maliciously trespassing and ignoring laws?

Aloha

Eleanor Snyder  
Lawai 96765

**From:** [Patricia Fallbeck](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Cc:** [iolawailuanui@gmail.com](mailto:iolawailuanui@gmail.com)  
**Subject:** [EXTERNAL] Coco Palms Considerations  
**Date:** Tuesday, December 5, 2023 3:04:42 PM

---

To: Board of Land and Natural Resource  
Dawn N. S. Chang, Chairperson  
Riley Smith  
Doreen Nāpua Canto  
Karen Ono

From: Dr. Patricia Fallbeck  
3448 Lawailoa Lane  
Koloa, HI, 96756

RE: Decision on Granting Outside Developers Access/Leases/Permits to Native Lands on Kaua`i

It is my understanding that the delinquent developers of the Coco Palms lands on Kaua`i are STILL being considered for permission to desecrate sacred Hawaiian areas on our Kaua`i island! This is an outrageous misuse of the trust we put in you, our public servants and guardians of our heritage! It is contrary to our environmental welfare, our economic health, the quality of the lives of residents, and the safety of our highways and transportation systems as well as the preservation of the Native Culture!

I thought your mission was to:

“Enhance, protect, conserve and manage Hawaii's unique and limited natural, cultural and historic resources held in public trust for current and future generations of the people of Hawaii nei, and its visitors, in partnership with others from the public and private sectors.

Another unusable, intrusive, disruptive, non-Hawaiian hotel located on sacred Hawaiian ground is NOT addressing your mission! “Enhance, protect, conserve, and manage” should indicate that you would preserve our resources instead of selling them to outsiders.

“Enhance, protect, conserve, and manage” should indicate an extensive environmental impact statement that would disclose the impending high water levels, the destruction of shoreline, the deforestation of the Mauka terrain, and the building of foreign structures on the graves of our ancestors.

These developers should be receiving fines for their actions that have violated the principles of the DLNR duties of :

"Harnessing [these] resources while reducing the use of non-renewable sources (petroleum, coal, fossil-based natural gas) [which] is critical to achieving our state's clean energy goals."

Is increasing traffic congestion, paving our forests, and overcrowding our beaches, meeting this principle? I think not.

These were the mission and principles as stated in the Hawaii Government website. Were these the same mission and principles you considered when you took this office? Please support your Mission and Principles! Please stop these developers from continuing to disrupt our lives and the plans we have to keep this land environmentally safe, resident-friendly, and culturally sound for us and for generations to come!

**From:** [bill.parker](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco Palms Development  
**Date:** Tuesday, December 5, 2023 1:27:24 PM

---

Years ago the development of a hotel on the Wailua properties in question was thought to be a positive economic improvement in the area. It happened when Kauai in general was "underdeveloped", when environmental issues, global warming issues, respect for historical culture issues, and certainly overcrowding and horrific traffic issues were not a consideration.

Today, all these issues and many others are on the table and must be thoroughly and respectfully considered before allowing ANYONE to develop the Coco Palms properties in pursuit of personal gain.

Board members, it's your duty to defend the quality of future existence on this island.

Bill Parker  
Wailua Houselots

**From:** [Carol Everett](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco Palms Development  
**Date:** Tuesday, December 5, 2023 8:40:27 PM

---

To Whom it May Concern,

I strongly oppose the use of these public lands for resort development and remind BLNR that allowing the developers to use these public lands for the resort will have impacts on the community and the environment. The development will impede traffic which is already a nightmare. In addition the further development and hardening of these wetland ecosystems degrades the resilience and environmental services that this sensitive environment provides. The development of these coastal lands will negatively impact our resiliency to sea level rise and climate impacts in the coming decades. Allowing the use of these State lands in conjunction with the planned resort commercial development will **contribute directly** to increased impacts on the shoreline, nearshore water quality, and further degrade existing cultural, historical, and archeological elements. lands are situated in **environmentally sensitive areas** with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean.

We live in the Houselots and see tourists regularly cross outside the crosswalks. Without direct access to the ocean, the likelihood of a tourist be injured or killed as a result of jay walking is gravely increased. All these reasons, and more is why I am opposed to having a large development at the old Coco Palms Resort.

Mahalo for your consideration,

Carol Everett  
alohamarkcarol@yahoo.com

**From:** [Michael Burke](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco Palms hearing  
**Date:** Tuesday, December 5, 2023 5:27:15 PM

---

Aloha,

My name is Michael Burke and I am writing in support the project at Coco Palms. This property has been a nightmare for the neighborhood but the new owners have been making a lot of effort to improve the property and clean out all the bad elements (homeless squatters, drug dealers, refuse dumping) that have been loitering there for years. It finally feels like this developer is getting enough momentum where this property might actually be permanently cleaned up and the old wreckage removed. All I can say is that it is about time. This place has been an unimaginable eyesore for decades. Every time I drive past it, I am annoyed and filled with wonder at how it has sat there like this for so long. Please push this process forward and approve the entitlements and parcel leases necessary for the developers to invest in our community and clean up this perpetual disaster.

Kauai County Councils, Kauai Mayors, County Planning Commissions, the Kauai Planning Departments and even prior boards of LNR have tried for years to support the property restoration and none of the prior developers has ever been able to get any significant progress. However, last month both the Kauai County Planning Commission and the Kauai County Planning Director affirmed the restoration project is properly permitted and approved to move forward. The project apparently is in some jeopardy of losing some state land leases even though these same state lands have been assigned to the owners of the Coco Palms Resort since 1962. The developer has released info regarding the planned use of these lands including a public parking lot and public restrooms - benefits sought by the community that Coco Palms developer will pay for that will benefit the community. Please approve the recommendations in the staff report for disposition of these parcel leases so that the developer can carry out the improvements that will benefit the community. The developer has also stated that their scope of improvements will help to support cultural activities such as a lo'i kalo managed by lineal descendants, a cultural advisory group comprised of Kauai Native Hawaiian leaders and a cultural center and museum as part of the project's community benefits. They seem responsible and have been working hard to gain the trust of the community with clear communication and visible investment. Please open the way for this process to move forward and support the project and developer by approving the parcel leases.

Thank you,

Michael Burke

**From:** [Mark Emery](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco Palms Historic District  
**Date:** Wednesday, December 6, 2023 8:10:37 AM

---

Aloha Chair Chang and members of the Board of Land and Natural Resources,  
My name is Mark Emery and I am testifying in support of the restoration of Coco Palms and the disposition of lands to RP21.

I believe that the building does no one any good just sitting there rotting. Also, having an unsound structure is not safe, especially for curious children. I think that it will be good for the community to have the resort rebuilt instead of being an eyesore. It will also bring jobs to the locals. I'm also certain that a compromise can be worked out with those who oppose the project.

Please approve the disposition of lands to RP21.

Thank you.

--

Mark Emery

801.809.3415

[mynameery@gmail.com](mailto:mynameery@gmail.com)

**From:** [Ken Carlson](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco Palms project  
**Date:** Tuesday, December 5, 2023 10:01:56 AM

---

Aloha,

I strongly oppose the use of public lands for the development of the Coco Palms resort development.

1. These leases and permits should NOT be granted to RP21; and
  2. That if they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.
- The further development and hardening of these wetland ecosystems degrades the resilience and environmental services that this sensitive environment provides.
  - The development of these coastal lands will negatively impact our resiliency to sea level rise and climate impacts in the coming decades.
  - Allowing the use of these State lands in conjunction with the planned resort commercial development will **contribute directly** to increased impacts on the shoreline, nearshore water quality, and further degrade existing cultural, historical, and archeological elements.
  - These lands are situated in **environmentally sensitive areas** with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean.

Kenneth Carlson  
Kilauea, Kauai



**From:** [Lloyd Kajikawa](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco Palms Project  
**Date:** Tuesday, December 5, 2023 12:33:33 PM

---

Staff will be making recommendations about the Coco Palms project on Kauai that will allow the project to move forward. As the Board for the Department of Land and Natural Resources it is incumbent upon you to disapprove the recommendations that staff bring forward. As the Board for DLNR, it is your duty to protect land and natural resources and I see no way that another hotel development on culturally sensitive public lands could further your mission and vision, unless your mission and vision is to turn all public lands into commercial projects.

The site in Wailua should never have been developed in the first place. This Board can right that wrong by denying the development of the parcels involved and allowing the people of Kauai to provide stewardship over the lands. Too much has been given away to commercial interests over the years and now is the time to say, "Enough!"

Thank you for your stewardship over public lands for the people of Hawaii.

Lloyd Kajikawa  
Kalaheo, Kauai

**From:** [Carolyn Eaton](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco Palms project  
**Date:** Wednesday, December 6, 2023 8:59:46 AM

---

I oppose projected concessions to developers. These wetlands must remain undeveloped.

Carolyn Eaton  
1310 Heulu St. #602  
Honolulu, Hi. 96822

Sent from my iPhone

**From:** [Joanna Petterson](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco palms redevelopment opposition  
**Date:** Tuesday, December 5, 2023 2:49:02 PM

---

I am in strong opposition to resort development of the former coco palms site. Please allow the land to be cared for and granted back to the community as a community park. Kauai residents are in opposition of redevelopment.

Joanna Petterson  
Kauai Resident

**From:** [ZJB](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco Palms Restoration Support  
**Date:** Tuesday, December 5, 2023 10:09:52 AM

---

Chair Chang and the members of the Board of Land and Natural Resources,

My name is Zach Beynon and I am writing to support the restoration of Coco Palms and the disposition of lands to RP21. These lands are the same state lands that have been assigned to the owners of Coco Palms Resort since 1962 and should continue its historic use. In doing so, Coco Palms will establish much needed public parking and restrooms sought by the community. Last month both the county and planning commission and planning director affirmed the project is properly permitted and approved to move forward. Please stand by those affirmations.

Coco Palms reservation will provide hundreds of construction jobs temporarily and hundreds more permanent jobs for the local community. The economic benefit of the restoration will create over \$300 million dollars of direct impact to those it serves.

Coco Palms is the proper steward for these sacred lands. They will utilize them in a way that makes them beautiful, clean and respectful to traditions. They will be a place of community and for community. The failures of past owners will be corrected by the new owners and you'll be pleased to make this decision.

For these reasons I add my name and support and recommend the approval to move forward with the staff report for these parcels.

Thank you,

Zach

---

Zach Beynon | (801) 860-8040

**From:** [Robin Kutkowski](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco palms Testimony  
**Date:** Tuesday, December 5, 2023 8:41:30 PM

---

Aloha BINR,

My name is Robin Kutkowski, I am a resident of Kilauea and have lived here all of my life. I have seen the increase of development & people depending on this island grow substantially. We do not need another hotel to house tourists. We have so many hotels around the island already. The area in question is not an adequate location for a hotel. It is in flood land and that area flooded in 2018. The river is right next to the hotel area. The amount of waste that will go directly into the sea from this hotel being here will be a huge impact on our precious ecosystem that is already impacted by having the river there. That area already struggles with sewage issues also and it is not pono for you to sign off on these plans. It is time to stand up against extreme development on this island. We have seen the effects of what happens when things get too bombarded with over development. It is time to think about the future of this island and it people that live here. Please say no to buy outs and bribes. It's not worth it to put our communities as risk and our resources at risk. I beg you to please deny access to the developers .

1. That these leases and permits should NOT be granted to RP21 for resort purposes.
  
2. That if they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.
  - The further development and hardening of these wetland ecosystems degrades the resilience and environmental services that this sensitive environment provides.
  - The development of these coastal lands will negatively impact our resiliency to sea level rise and climate impacts in the coming decades.
  - Allowing the use of these State lands in conjunction with the planned resort commercial development will **contribute directly** to increased impacts on the shoreline, nearshore water quality, and further degrade existing cultural, historical, and archeological elements.
  - These lands are situated in **environmentally sensitive areas** with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean.

Thank you,  
Robin kutkowski

Sent from my iPhone

**From:** [Brian R. Curl](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco Palms Testimony  
**Date:** Tuesday, December 5, 2023 4:29:27 PM

---

## Coco Palms Permitting

It is fundamental to this issue to recognizing the historic value of the Coco Palms property, its traditional lands and the love that people carry in their memories is a driving force for both proponents and objectors.

Whether memories make you wish to rebuild the Cocoa Palms in all its glory or to preserve that which presently exists is a decision we have to make as a community. Both parties are influenced one way or another to create something new or to preserve what we have.

I believe allowing permits to be issued moving forward with the renovation is a mistake for the following reasons.

- A) The Coco palms intersection is already congested delaying traffic from entering or leaving Kapa'a. To build any hotel, no matter how beautiful at this location is a mistake!
- B) Placing a major tourist destination at that intersection will delay the current flow of traffic, for both residents and visitors alike. Lacking any alternative routes, all vehicles are forced to use this intersection, virtually cutting the island in half.
- C) I recognize that there are potential highway construction partial solutions to alleviate some of the issues raised above. Aside from the additional congestion and construction, my question is who is going to pay for these new development highway system expenses. It will be the citizens of the County of Kauai, the State of Hawaii and not investors.
- D) This hotel will be an overall cash drain on the people of Kauai and Kapa'a. Frozen traffic will result in a justifiable decline in general tourist satisfaction. All of this brought to us by financially motivated investors.
- E) We have entrusted you, our leaders, with the responsibility of ensuring better living conditions for all Kauai. The cost in time and money to this Island Community is too much to ask.

F) This decision should be made by the people of Kauai as it is their history and their future that is at stake.

Brian Curl, [bcurl@aol.com](mailto:bcurl@aol.com), 808 635-6311

**From:** [Jenifer Prince](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco palms  
**Date:** Tuesday, December 5, 2023 1:48:29 PM

---

To whom it may concern,  
I STRONGLY oppose the use of these public lands for resort development!  
I used to live up Haleilio road and the noise and traffic etc are OUT OF CONTROL.  
This property should have been condemned years ago and made into a public PARK.  
There are no public parks in Kapaa for residents and their families except Lydgate which is a beach park.  
DO NOT APPROVE any permits!  
EVERY single resident I know opposes this development..no matter how you word it in your community survey.  
NO to this development NO NO NO.  
Thank you,  
Jenifer Higginbotham  
Kapaa

Sent from my iPad



**From:** [Gina Higbee](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] COCO PALMS  
**Date:** Tuesday, December 5, 2023 8:20:54 PM

---

I am strongly in support of the restoration of COCO PALMS! Agenda item 6. We need to keep the state RP lands in the Coco Palms historic district for the resort and public use!

Thank you!

--

Make it a great day and remember... "Tee it High...Let it Fly!" :-)

## Gina Higbee

LPGA Golf Professional

801-830-GOLF

[ginahigbeegolf.com](http://ginahigbeegolf.com)



**From:** [nadya\\_penoff](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco Palms  
**Date:** Tuesday, December 5, 2023 10:48:58 AM

---

Aloha!

Please do not let the Coco Palms property be used for a new resort.  
We have enough resorts (i.e. too many already).  
Let the property be used for cultural purposes, not tourist beds.

Mahalo, Nadya Penoff 808 346-8196  
5430 Kuapapa St  
Kapa'a, HI 96746

**From:** [dgcarsten@aol.com](mailto:dgcarsten@aol.com)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco Palms  
**Date:** Wednesday, December 6, 2023 8:02:57 AM

---

To Whom it May Concern:

The property known as Coco Palms is sacred to all the people of Hawaii, not just residents of Kauai. Issuing these permits constitutes total disregard of this fact. This company has already performed illegal work on the property, removing palm trees and doing grubbing.

We have yet to see an Environmental Impact Study on this project, so issuing these permits is premature, to say the very least. The negative impact this project will have on traffic, safety and the lives of those of us who live on Kauai cannot be overstated.

The easements and immediate right of entry are also premature.

I humbly request that these permits, easements and rights not be issued.

Sincerely  
Donna Gould Carsten  
Kapa'a

**From:** [Ashley Conner](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco palms  
**Date:** Tuesday, December 5, 2023 8:07:43 PM

---

I am writing to urge the Board to make the right decision for the community and for the ‘āina. I am requesting the following:

- 1 That these leases and permits should NOT be granted to RP21; and
- 2 That if they are granted to anyone, the Board MUST require the recipients to do an environmental

assessment in compliance with HRS343.

There are so many reasons not to use these lands for resort-related purposes, but it’s essential to focus right now on the points that will matter most to the BLNR. In our opinion, those are:

- The further development and hardening of these wetland ecosystems degrades the resilience and environmental services that this sensitive environment provides.
- The development of these coastal lands will negatively impact our resiliency to sea level rise and climate impacts in the coming decades.
- Allowing the use of these State lands in conjunction with the planned resort commercial development will contribute directly to increased impacts on the shoreline, nearshore water quality, and further degrade existing cultural, historical, and archeological elements.
- These lands are situated in environmentally sensitive areas with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean

**From:** [judith\\_matola](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco palms  
**Date:** Tuesday, December 5, 2023 4:51:03 PM

---

I can't stress enough that there should be no building of any resorts on public land or Hawaiian land. I ask don't the citizens of Kauai have any voice in this matter no one wants this hotel no one.! It's criminal that these developers have no respect for what the people of Kauai want. It must end now!  
Sent from my iPhone

**From:** [Brian R. Curl](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco Palms  
**Date:** Tuesday, December 5, 2023 5:08:59 PM

---

Dear Leaders,

I am Brian Curl, a concerned citizen and devoted resident of Kauai. I am writing to express my deep concern over the proposed renovation of the historic Coco Palms property. This issue is close to my heart, as I believe it's not just about a property, but about our collective memory, our heritage, and our future as a community.

The Coco Palms property, with its traditional lands, holds a special place in the hearts of our people. While some may wish to rebuild it in all its former glory, and others may prefer to preserve what presently stands, we must recognize that this decision will shape our community's future.

I firmly believe that issuing permits for renovation would be a grave mistake, for the following reasons:

A) Traffic Congestion: The Coco Palms intersection is already congested, causing delays for residents and visitors alike. Constructing a hotel at this location, no matter how aesthetically pleasing, would only exacerbate this problem.

B) Limited Alternative Routes: With no alternative routes available, all vehicles are forced to use this intersection, effectively splitting the island in half. A major tourist destination at this intersection would significantly disrupt the current flow of traffic.

C) Financial Burden: Although highway construction could potentially alleviate some traffic issues, the financial burden this would place on the County of Kauai and the State of Hawaii is concerning. The cost should not fall on the citizens, but rather on the investors pushing for this development.

D) Negative Impact on Tourism: The inevitable traffic standstill would lead to a decline in tourist satisfaction, ultimately affecting tourism revenues.

E) Responsibility of Leadership: As our elected leaders, you bear the responsibility of ensuring better living conditions for all residents of Kauai. The cost in time and money to our Island Community is too much to bear for a project that primarily benefits investors.

F) Democratic Decision Making: This decision, which will impact our history and future, should be made by the people of Kauai.

I urge you, our leaders, to consider these arguments and the voices of our community. We trust you to make a decision that will preserve our heritage and foster our future growth.

Sincerely,

Brian Curl, [bcurl@aol.com](mailto:bcurl@aol.com), 808 635-6311

**From:** [Louise Arakaki](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco Palms  
**Date:** Tuesday, December 5, 2023 11:23:34 AM

---

Aloha

I am writing today as a 50+ year resident of the Kapa'a district.

This means that I used to drive on roads that may have been bumpy but were shared with aloha and a friendly wave and most importantly, cars that kept moving

It also means that I used to enjoy the meals, the zoo, and the entertainment Coco Palms

It means the I have enjoyed paddle boarding on a fairly pristine Wailua River for exercise and relaxation

It also means that I shared the experiences of Hurricanes Iwa and Iniki

It means that I have been driving by (or even stuck at) the mess and degradation of the Coco Palms for over 30 years while across the street I have watched the shrinking beach of Wailua Bay

It also means that I have been subjected to horrific smells emanating from an outdated, overused, and under maintained sewage treatment plant by Lydgate Park

What it really means is that I am sick and tired of our county and state government agencies pretending that they have no power over developers who ask for special favors while disregarding environmental assessments, laws protecting our Aina and history, and seek only to pad their bottom lines. These are the same "people" (corporations) who will sell out at the first hint of water damage from storm surges and leave us with another mess to clean up.

NO THANKS

PLEASE PLEASE PRETTY PLEASE do not keep granting permits and green lights for this tragically ill conceived project in the most congested and environmentally vulnerable areas of our island.

Sincerely hoping that you find the strength to do the right thing for the people who live here and love our island.

Louise Arakaki  
Kapahi

**From:** [Karla Saperstein](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco Palms  
**Date:** Tuesday, December 5, 2023 6:32:17 PM

---

As a long term Resident of Kauai PLEASE do not renew permits to these developers The lift of issues with outsiders building a Resort are endless including traffic congestion with no plan and believe me no plan is sustainable, climate change, the sewage and pollution and trash, especially the human waste and trash, the wetlands that have already been compromised. Kauai doesn't need another hotel. Please have COMMON SENSE prevail and not GREED. I beg you.

Karla Saperstein  
Teacher

Sent from my iPhone



**From:** [PATRICK MANNING](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco Palms  
**Date:** Wednesday, December 6, 2023 3:14:01 AM

---

BLNR,

I have been following the Coco Palms story for many years. I am very hopeful that all parties can find a way to allow the restoration of the once great property and support everything that needs to be done to make that happen.

My wife and I pray we can visit the property and relive our fondest memories.

Mahalo,

Patrick Wroman

Sent from my iPhone

**From:** [Timo Mariels](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Coco Palms  
**Date:** Tuesday, December 5, 2023 9:19:40 PM

---

Dear BLNR,

Please return these lands occupied by the wreckage of Coco Palms to the native lands of Hawaii and save it for the community and do not allow it to go into the hands of developers. This is an important area that needs to be returned back from the islands. Look what has happened as this derelict property created by developers and held by other developer has been nothing but an eyesore for years that has done nothing for the community and only polluted the environment. Kauai can and should do better.

Mahalo,

Tim Mariels, LPC NCC  
Mariels Counseling & Mindfulness

'Let Awareness be Your Guide'

**From:** [bob-marion@hawaiiantel.net](mailto:bob-marion@hawaiiantel.net)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] concerning items for Coco Palms development  
**Date:** Wednesday, December 6, 2023 1:02:04 PM

---

Aloha board members,

We strongly oppose the use of Kauai public lands for resort development. Allowing developers to use these public lands for resort development will have negative impacts on our community and the sensitive environment. As long time volunteers with dept of forestry and wildlife and as past employees of dept. of Land and Natural resources we feel very strongly that,

- The further development and hardening of these wetland ecosystems degrades the resilience and environmental services that this sensitive environment provides.
- The development of these coastal lands will negatively impact our resiliency to sea level rise and climate impacts in the coming decades.
- Allowing the use of these State lands in conjunction with the planned resort commercial development will **contribute directly** to increased impacts on the shoreline, nearshore water quality, and further degrade existing cultural, historical, and archeological elements.
- These lands are situated in **environmentally sensitive areas** with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean. These leases and permits must not be granted to RP21! If they are granted to any party, the board must require the recipients to do an environmental assessments in compliance with HRS343. Please do what is right of our entire community and island home. Kauai is depending on you to protect her.

Sincerely,

Robert and Marion McHenry

Princeville

**From:** [Jennifer Cole-Conner](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] D-6 Agenda: Coco Palms Kauai - Testimony  
**Date:** Tuesday, December 5, 2023 8:01:55 PM

---

---

**From:** Jennifer Cole-Conner <kauai\_girl\_jen@yahoo.com>  
**Sent:** Tuesday, December 5, 2023 7:30 PM  
**To:** blnr.testimony@hawaii.gov <blnr.testimony@hawaii.gov>  
**Subject:** Coco Palms Kauai - Testimony

Aloha,

I support I OLA wailuanui in creating a public place of cultural enrichment, historic preservation, land conservation & spiritual nourishment; an educational & interpretive gathering place; a center of Hawaiian cultural stewardship on Kaua‘i; a core place for learning in Hawai‘i.

The project would provide a place for Hawaiians & local residents of all backgrounds and ages to reconnect with this sacred area & culturally significant site. Through outreach, ‘āina based land restoration projects & an established educational center this property will inspire, reconnect, educate, empower & employ those closest to this place.

The broader vision may include:

An Educational Center for Hawaiian Cultural Advancement  
A Gathering Place, Park and Community Space  
Agricultural Restoration & Local Food Production  
Lā‘au Lapa‘au Medicinal and Native Hawaiian Gardens  
Loko I‘a (Fishpond) Restoration & Food Production  
Museum, Musical Amphitheatre, Hula Mound & Place for the Arts  
Hawaiian Crafts, Language, History, Legends, —Culture & Games

I urge the Board to make the right decision for the community and for the ‘āina. I request the following:

That these leases and permits should NOT be granted to RP21; and

That if they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.

There are so many reasons not to use these lands for resort-related purposes, but it’s essential to focus right now on the points that will matter most to the BLNR. In our opinion, those are:

The further development and hardening of these wetland ecosystems degrades the resilience and environmental services that this sensitive environment provides.

The development of these coastal lands will negatively impact our resiliency to sea level rise and climate impacts in the coming decades.

Allowing the use of these State lands in conjunction with the planned resort commercial development will contribute directly to increased impacts on the shoreline, nearshore water quality, and further degrade existing cultural, historical, and archeological elements.

These lands are situated in environmentally sensitive areas with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean

**From:** [Nancy Viemeister](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] D-6 Agenda: Coco Palms Kauai  
**Date:** Wednesday, December 6, 2023 8:44:01 AM

---

Dear Board of Land and Natural Resources,

I am writing to urge you to make the right decision for the community and the 'aina. I feel that these leases and permits should NOT be granted to RP21 and that if they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.

The further development and hardening of these wetland ecosystems degrades the resilience and environmental services that this sensitive environment provides.

The development of these coastal lands will negatively impact our resiliency to sea level rise and climate impacts in the coming decades.

Allowing the use of these State lands in conjunction with the planned resort commercial development will **contribute directly** to increased impacts on the shoreline, nearshore water quality, and further degrade existing cultural, historical, and archeological elements.

These lands are situated in **environmentally sensitive areas** with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean.

Thank you,

Nancy Viemeister  
540-220-7663

**From:** [Abbey Holmes](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] D-6 Coco Palms  
**Date:** Tuesday, December 5, 2023 10:05:40 AM

---

Aloha,

I am writing to you in regard to the future redevelopment of the Coco Palms hotel. These leases and permits should NOT be granted to RP21. If they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.

The further development of this area decreases the resilience of the land making it more vulnerable to the impacts of climate change. This is also an area of land with significant historical significance. I would like to see this land used to honor the Hawaiian culture, not build another unneeded hotel.

In addition, this area is already a congested traffic area that the people who live on the island deal with on a daily basis. There is already a shortage of workers and housing on the island as well. But these factors do not hold enough weight compared to the request of honoring this land for its cultural significance.

Thank you for your time,

--

**Abbey Holmes (She/her)**

[www.findyourline.com](http://www.findyourline.com)

"If you are free, you need to free someone else. If you have some power, then your job is to empower somebody else." Toni Morrison

**From:** [d.g](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] D-6 Opposition to Coco Palms Development  
**Date:** Tuesday, December 5, 2023 5:57:19 PM

---

I strongly oppose the use of these public lands for resort development. Allowing developers to use these public lands will have impacts on both the community and the environment for our children and their children.

1. That these leases and permits should NOT be granted to RP21; and
2. That if they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.

A few of the reasons to not allow development of these PUBLIC lands are:

- Development of these wetland ecosystems degrades the resilience and environmental services that this sensitive environment provides.
- The development of these coastal lands will negatively impact our resiliency to sea level rise and climate impacts in the coming decades.
- Allowing the use of these State lands in conjunction with the planned resort commercial development will **contribute directly** to increased impacts on the shoreline, nearshore water quality, and further degrade existing cultural, historical, and archeological elements.
- These lands are situated in **environmentally sensitive areas** with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise; they are adjacent to wetland areas, currently and historically impacted by frequent flooding; they are known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean.

Please consider these profound impacts versus immediate gratification and fleeting financial gain. Don't allow hollow action to be the impetus for your decisionmaking.

Thank you for your consideration of my testimony.

Danielle Guion



**From:** [Elizabeth Weber](#)  
**To:** [DLNR, BLNR Testimony](#)  
**Subject:** [EXTERNAL] D-6  
**Date:** Wednesday, December 6, 2023 5:52:36 AM

---

Please do not allow the public land at Coco Palms to be used for resort development. It will negatively impact the surrounding environment and community.  
Thank you,  
Elizabeth Weber

Elizabeth Weber

[https://urldefense.com/v3/\\_http://www.elizabethweber.com\\_!!LIYSdFckKA!x\\_KsCeqXnd!AoOEdu8vJAMWA4zpVMA4FH0ExAD0e84NPVbAxjrYjNIUxC6Kskjke5vmHTeYnxld8ggYAU3PJOqqNYj2ctUr8AS](https://urldefense.com/v3/_http://www.elizabethweber.com_!!LIYSdFckKA!x_KsCeqXnd!AoOEdu8vJAMWA4zpVMA4FH0ExAD0e84NPVbAxjrYjNIUxC6Kskjke5vmHTeYnxld8ggYAU3PJOqqNYj2ctUr8AS)

**From:** [Gwendolyn Argenti](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] D-6  
**Date:** Tuesday, December 5, 2023 5:07:43 PM

---

Dear BLNR,

I am a servant to the Aina of Hawai'i and I strongly oppose the use of public lands for resort development. The community and the environment are my #1 concern. I request that these leases and permits should NOT be granted to RP21. If in the event they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.

**From:** [Davidson - DORA, Shannon](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] D-6  
**Date:** Wednesday, December 6, 2023 5:43:04 AM

---

Please do not build a resort at the Coco Palms location. That area cannot handle more resort traffic along with the fact that the island community needs this public land.

If a resort is built then the tourist just going to complain about traffic and the beach across the way not being safe and easy to get in and out of the ocean.

Lifeguards are gonna have to set up there and save more people, more resources necessary so many things go wrong.

That area can be used for so many more long term helpful things for the island community.

Please just stop giving away the land to tourism. They have plenty of places to go close by and around the entire island.

Do the right thing do not develop another resort.

mahalo nui loa

--

Shannon Davidson  
Licensing Specialist  
Office of Licensing



P: 303-894-7715

1560 Broadway, Suite 1350, Denver, CO 80202

[shannon.davidson@state.co.us](mailto:shannon.davidson@state.co.us) | [www.colorado.gov/dora](http://www.colorado.gov/dora)



CONFIDENTIALITY NOTICE: This message is intended only for the use of the individual to whom it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not an intended recipient you are not authorized to disseminate, distribute or copy this e-mail. Please notify the sender immediately if you have received this e-mail by mistake and delete this e-mail and any attachments from your system.

**From:** [Robert Zelkovsky](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] DENY Coco Palms permits  
**Date:** Tuesday, December 5, 2023 12:51:33 PM

---

Aloha - thank you for receiving my testimony against renewing the permits for Coco Palms, LLC.

I know in your hearts that you know this is the wrong time and the wrong place for the rebuild of the Coco Palms. Yes, at one point it was the flagship property of Kaua`i and possibly of the State. It was a magnificent setting and time. I've been to concerts, brunches, weddings, fishing tournaments and played in clay court tennis tournaments there. That was in the 70's and 80's, a much different time. Kaua`i was different. That was then.

Now. Traffic issues, beach access and erosion issues. Wetland to protect. Wastewater to be properly dealt with. And a permit system that should be followed as closely as done with homeowners. People are more aware of the importance of maintaining a healthy environment. People are more aware of honoring the lands of their ancestors.

All pointing to why the Coco Plams should not be redeveloped.  
Thank you for listening.

With aloha,  
Robert Zelkovsky, DC  
49 year Kaua`i resident

**From:** [Lynn Bowen](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Directors Meeting 12/7/23 - agenda item (D-6)  
**Date:** Wednesday, December 6, 2023 8:15:32 AM

---

Aloha BLNR Directors and Mahalo for what you do for the state and the 'Āina,

I am writing regarding **items related to the “Coco Palms” project on the agenda:**

- consideration of issuing of Term, Non-Exclusive, Easements to the RP21 Coco Palms LLC Developers for two state parcels (TMK 4-1-003:044 and 4-1-005:017). These easements will assist these developers in their plans for a hotel on the corner in Wailua through the use of these public lands.
- consideration to issue these developers Revocable Permits (RPs) for and the sale of the Lease at public auction for the Kuamoo Rd corner state parcel (TMK 4-1-003:017).
- Consideration to granting these developers “Immediate Right-of-Entry” for three state parcels to utilize public lands in the development of their 350 room hotel. (TMKs 4-1-003:044, 4-1-003:017 and 4-1-005:por.017)

I strongly oppose the staff recommendation to proceed with these items and grant the permits, easements, and right-of-entry to the developers and trust that the board will make the right decision for the community and the 'Āina. The staff recommendations feel like they have no care for the 'āina and her people. I trust that you The Board has care!

Allowing these developers to use these public lands for the resort WILL have impacts on the community and the environment.

Agenda item (D-6) These leases and permits should NOT be granted to RP21.

IFF they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.

There many reasons not to use these lands for resort-related purposes are.

- The further development and hardening of these wetland ecosystems degrades the resilience and environmental services that this sensitive environment provides.
- The development of these coastal lands will negatively impact our resiliency to sea level rise and climate impacts in the coming decades.
- Allowing the use of these State lands in conjunction with the planned resort commercial development will **contribute directly** to increased impacts on the shoreline, nearshore water quality, and further degrade existing cultural, historical, and archeological elements.
- These lands are situated in **environmentally sensitive areas** with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean.

You have the ability and opportunity NOW to make a long lasting positive decision and impact for the island or a HUGE NEGATIVE impact. Please do the RIGHT thing. Please think long and hard on how all of this can and WILL Impact the island, the 'Āina and her people from this day forward.

I hope that my trust in you to do the right thing does not become tarnished and that I can continue to hold you with high respect.

Mahalo,

Lynn Bowen  
2685 Kiu Anu Place  
Kalaheo HI 96741  
808-977-2788

**From:** [Michal Stover](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] I Oppose Coco Palms Area Resort Development  
**Date:** Tuesday, December 5, 2023 5:19:00 PM

---

Aloha BLNR Commissioners,

I oppose the use of the public lands described below for resort development because it would have adverse impacts on the community and the environment.

Specifically, I oppose BLNR taking any of the following actions:

- + Issuing Term, Non-Exclusive, Easements to the RP21 Coco Palms LLC Developers for two state parcels (TMK 4-1-003:044 and 4-1-005:017);
- + Issuing these developers Revocable Permits (RPs) for and the sale of the Lease at public auction for the Kuamoo Rd corner state parcel (TMK 4-1-003:017); and,
- + Granting these developers “Immediate Right-of-Entry” for three state parcels to utilize public lands in the development of their proposed room hotel (TMKs 4-1-003:044, 4-1-003:017 and 4-1-005:por.017).

If these easements and permits are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.

These lands should not be used for resort-related purposes because:

- + The further development and hardening of these wetland ecosystems degrades the resilience and environmental services that this sensitive environment provides.
- + The development of these coastal lands will negatively impact our resiliency to sea level rise and climate impacts in the coming decades.
- + Allowing the use of these State lands in conjunction with the planned resort commercial development will contribute directly to increased impacts on the shoreline, nearshore water quality, and further degrade existing cultural, historical, and archeological elements.
- + These lands are situated in environmentally sensitive areas with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean.

Be pono! Do the right thing!

Mahalo,

Michal Stover  
Kīlauea, Kaua‘i

**From:** [David Kuhn](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Cc:** [David Kuhn](#)  
**Subject:** [EXTERNAL] I strongly oppose the use of "Coco Palms" public lands for resort development  
**Date:** Tuesday, December 5, 2023 9:38:05 PM

---

Aloha Board Members,

I am a registered voter on Kauai. I have been a resident of Kauai for more than 35 years. The development of these public lands should not happen. Please respect the Aina.

These lands are situated in an **environmentally sensitive area** with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean.

I strongly oppose the use of these public lands for resort development and I strongly remind BLNR that allowing the developers to use these public lands for the resort will have impacts on the community and the environment for many years to come--for us now and for all of our children and families in the future.

Respectfully,

David Kuhn

PO Box 1018  
Waimea, HI 96796  
(808) 651-8247



**From:** [Anne English](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Cc:** [Anne English](#)  
**Subject:** [EXTERNAL] I strongly oppose the use of "Coco Palms" public lands for resort development  
**Date:** Tuesday, December 5, 2023 9:23:19 PM

---

Aloha Board Members,

I am a registered voter on Kauai. I have been a resident of Kauai for more than 35 years. The development of these public lands should not happen. Please do the ethical thing--this land should not be developed at any cost.

These lands are situated in an **environmentally sensitive area** with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean.

I strongly oppose the use of these public lands for resort development and I strongly remind BLNR that allowing the developers to use these public lands for the resort will have impacts on the community and the environment for many years to come--for us now and for all of our children and families in the future.

Respectfully,

Anne English  
PO Box 389  
Lawai, HI 967665  
(808) 635-7884

**From:** [rangien2022@yahoo.com](mailto:rangien2022@yahoo.com)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] In Strong opposition of D-6  
**Date:** Tuesday, December 5, 2023 1:17:54 PM

---

To: The Board of Land and Natural Resources and all who are concerned;

My name is Puanani Rogers, 84 year old kupuna; born, raised and still live in the ahupua`a of Kealia, Kaua`i. I stand in Strong opposition of D-6.

Enough is enough! It was a bad idea from the beginning for anyone to build a mega resort in an environmentally and culturally fragile and sacred place. The best and the only project that will work to protect and preserve this sacred wahi pana is to let our people to be given our rights to care for our na iwi kupuna and spirituality there and to end the irreparable harm and criminal acts already done and is ongoing to this sacred `āina by the evil developers. I now think of their acts not only being unlawful but with evil intent.

I implore you all; all whom I trust because of the oath you took to be in that seat on this decision making process; to please hear the crying of the voices of our people for justice and fairness in all you do for our people and the future of our still unborn children. That is how far-reaching your decision will affect. Do not destroy the future of our children, your children, our future.

Mahalo for reading this offering of my testimony.

Ke Akua pu!

Puanani Rogers  
4702 Mailihuna Road  
Kapa`a, HI 96746

P.S. My aloha and gratitude to our Kauai Member Karen Ono!!!

**From:** [Emily Shepperd](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] In support of CoCo Palms Agenda item 6  
**Date:** Wednesday, December 6, 2023 1:27:33 PM

---

Aloha,

My name is Emily Shepperd and I am testifying in support of the CoCo Palms restoration and the disposition of lands to RP21. I am confident that the owners, Reef Capital will restore this site and make public parking and bathrooms available for use. I hope that these lands will continue their historic use.

Best,

Emily Shepperd

Sent from my iPhone

**From:** [Jared Belnap](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] IN SUPPORT of COCO PALMS RESTORATION, Agenda Item 6  
**Date:** Tuesday, December 5, 2023 3:27:08 PM

---

Hi Chair Chang and members of the Board of Land and Natural Resources,

My name is Jared and I am testifying in support of the restoration of Coco Palms and the disposition of lands to RP21.

These lands are designated as part of the Coco Palms Resort Historic District under the national and state historic register. These same state lands have been assigned to the owners of the Coco Palms Resort since 1962. As a result, these lands should continue its historic use.

Thank you,  
Jared

**From:** [Marjory Taylor](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] IN SUPPORT of COCO PALMS RESTORATION, Agenda Item 6  
**Date:** Tuesday, December 5, 2023 1:40:54 PM

---

Chair Chang & members of the BLNR,

I wanted to express my support for restoring the Coco Palms Resort and approving the disposition of State RP Lands to RP21. This project has significant historical value and community benefits that align with past approvals and community needs.

Key Points:

**Historical Significance:** The Coco Palms Resort Historic District is nationally and state-recognized, emphasizing the importance of preserving its cultural heritage.

**Ownership Legacy:** Since 1962, the Coco Palms Resort owners have been associated with the State RP Lands, indicating a commitment to maintaining the site's historic use.

**Community Amenities:** The project includes public parking and restrooms funded by Coco Palms, addressing community needs expressed over the years.

**Community Support:** Various entities, including county councils, mayors, and planning commissions, have consistently supported the project. Recent approvals affirm its legitimacy.

**Positive Area Impact:** The restoration will address homelessness and crime, reactivate public spaces, and actively manage and steward public lands.

**Economic Benefits:** The project will create jobs, generating economic activity and providing employment opportunities for the local community.

**Cultural Preservation:** Community benefits include support for cultural activities, reflecting a commitment to preserving and celebrating Kauai's heritage.

I urge the Board to approve the recommendations in the staff report for the disposition of these parcels. The Coco Palms restoration project aligns with past decisions, community support, and offers a unique chance to preserve history, boost the economy, and address local needs.

Thanks for your consideration.

Sincerely,

Marjory Taylor



**From:** [Braelee Bergon](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] IN SUPPORT of COCO PALMS RESTORATION, Agenda Item 6  
**Date:** Wednesday, December 6, 2023 8:12:57 AM

---

Aloha Chair Chang and members of the Board of Land and Natural Resources,  
My name is Braelee Bergon and I am testifying in support of the restoration of Coco Palms and the disposition of lands to RP21.

- I'm testifying in support of the restoration of the Coco Palms Resort and the disposition of lands to RP21.
- These lands are designated as part of the Coco Palms Resort Historic District under the national and state historic register.
- These same state lands have been assigned to the owners of the Coco Palms Resort since 1962.
- As a result, these lands should continue its historic use.
- As part of the use of these lands, Coco Palms will establish public parking and public restrooms - benefits sought by the community that Coco Palms would fund.
- For over 30 years since Coco Palms was devastated by Hurricane Iniki, Kauai County Councils, Kauai Mayors, County Planning Commissions, Kauai Planning Departments and even prior Boards of Land and Natural Resources have all consistently taken action or adopted policies in support of the Resort's restoration.
- As recently as last month both the Kauai County Planning Commission and the Kauai County Planning Director affirmed the restoration project is properly permitted and approved to move forward.
- In less than two years since acquiring Coco Palms and its affiliated entity RP21, the new ownership group, Reef Capital has sought to turn around decades of failure by past owners and correct prior missteps.
- The decision before BLNR is not whether to approve the restoration of Coco Palms, that approval was made years ago by the County. Rather, BLNR now has the opportunity to approve Coco Palms to utilize these lands for the benefit of the community.
- For these reasons, I/We strongly urge the BLNR to approve the recommendations in the staff report for disposition of these parcels.
- The restoration of Coco Palms will help to address the blight of homelessness and crime currently in the area.
- The restoration of Coco Palms will reactivate public use of this area for the first time in decades.
- The restoration will help to address the decades of degradation of these public lands that have gone without active management and stewardship.
- The restoration will generate roughly 300 hundred direct construction jobs and 400 permanent full-time jobs when complete.
- The restoration will generate over \$300 million in direct economic activity for Kauai.
- The restoration will help to support cultural activities such as a lo'i kalo managed by lineal descendants, a cultural advisory group comprised of Kauai Native Hawaiian leaders and a cultural center and museum as part of the project's community benefits.

Thank you,

Braelee Bergon

**From:** [Christopher Crittenden](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] IN SUPPORT of COCO PALMS RESTORATION, Agenda Item 6  
**Date:** Wednesday, December 6, 2023 6:18:18 AM

---

Aloha Chair Chang and members of the Board of Land and Natural Resources,

My name is Chris Crittenden, and I am testifying in support of the restoration of Coco Palms and the disposition of lands to RP21.

I strongly believe that the decision before the BLNR is pivotal in determining the future of the Coco Palms Resort Historic District and its positive impact on the community. These lands, integral to the Coco Palms Resort Historic District under the national and state historic register, have a long-standing history of being assigned to the owners of the Coco Palms Resort since 1962. It is crucial to honor this historical designation and continue the lands' use in alignment with their historic purpose.

The restoration of Coco Palms by Reef Capital represents a significant opportunity to revitalize the area and contribute to the well-being of the community. The commitment to establish public parking and restrooms on the main parcel showcases a dedication to community needs and will undoubtedly enhance public access to the area.

Over the past 30 years, various authorities, including Kauai County Councils, Mayors, Planning Commissions, and prior Boards of Land and Natural Resources, have consistently shown support for the restoration of Coco Palms. The recent affirmations by the Kauai County Planning Commission and Planning Director further emphasize that the restoration project is properly permitted and approved to move forward.

Reef Capital, within just two years of acquiring Coco Palms, has demonstrated a commitment to correcting past mistakes and revitalizing a historic landmark. The BLNR now has the opportunity to support the community by approving Coco Palms to utilize these lands for the benefit of all.

I urge the BLNR to consider the following points:

- The restoration of Coco Palms will address the blight of homelessness and crime in the area.
- Reactivating public use of this space after decades will contribute positively to the community.
- The restoration will rectify the decades of degradation of these public lands through active management and stewardship.
- The project will create approximately 300 direct construction jobs and 400 permanent full-time jobs upon completion.
- The restoration will stimulate over \$300 million in direct economic activity for Kauai.
- Cultural activities, such as a lo'i kalo managed by lineal descendants, a cultural advisory group, and a cultural center and museum, are integral components of the project's community benefits.
- In conclusion, I strongly urge the BLNR to approve the recommendations in the staff report for the disposition of these parcels. By doing so, the Board will contribute to the revitalization of a historic landmark, support the community's needs, and foster economic growth on the island of Kauai.



Thank you for your time and consideration.

Mahalo,

Chris Crittenden

**From:** [Christine Porter](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] IN SUPPORT OF COCO PALMS RESTORATION, Agenda Item 6  
**Date:** Tuesday, December 5, 2023 11:51:02 AM

---

Hello, My name is Christine Porter. I'm writing in support of the restoration of Coco Palms and the the disposition of lands to RP21. This land has been assigned to the owners of Coco Palms since 1962, and should continue it's historic use.

I understand Coco Palms will establish public spaces, such as parking and public restrooms. This would benefit the community. These lands are designated as part of the Coco Palms Resort Historic District under the national and state historic register.

The Kauai County Planning Director said the restoration project has the proper permits and approvals to move forward. This was as recent as a month ago.

The decision before BLNR isn't whether to approve the restoration of Coco Palms. That is in the past, and was decided years ago by the county. The issue now is whether to approve Coco Palms to utilize these lands for the benefit of the community.

I strongly urge the BLNR to approve the recommendations in the staff report for disposition of these parcels.

--

Christine Porter

**From:** [Courtney Tietjen](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] IN SUPPORT of COCO PALMS RESTORATION, Agenda Item 6  
**Date:** Wednesday, December 6, 2023 8:07:40 AM

---

Aloha Chair Chang and members of the Board of Land and Natural Resources,

My name is Courtney and I am testifying in support of the restoration of Coco Palms and the disposition of lands to RP21.

I'm testifying in support of the restoration of the Coco Palms Resort and the disposition of lands to RP21.

- These lands are designated as part of the Coco Palms Resort Historic District under the national and state historic register.
- These same state lands have been assigned to the owners of the Coco Palms Resort since 1962.
- As a result, these lands should continue their historic use.
- As part of the use of these lands, Coco Palms will establish public parking and public restrooms - benefits sought by the community that Coco Palms would fund.
- For over 30 years since Coco Palms was devastated by Hurricane Iniki, Kauai County Councils, Kauai Mayors, County Planning Commissions, Kauai Planning Departments and even prior Boards of Land and Natural Resources have all consistently taken action or adopted policies in support of the Resort's restoration.
- As recently as last month both the Kauai County Planning Commission and the Kauai County Planning Director affirmed the restoration project is properly permitted and approved to move forward.
- In less than two years since acquiring Coco Palms and its affiliated entity RP21, the new ownership group, Reef Capital has sought to turn around decades of failure by past owners and correct prior missteps.
- The decision before BLNR is not whether to approve the restoration of Coco Palms, that approval was made years ago by the County. Rather, BLNR now has the opportunity to approve Coco Palms to utilize these lands for the benefit of the community.
- For these reasons, I/We strongly urge the BLNR to approve the recommendations in the staff report for disposition of these parcels.
- The restoration of Coco Palms will help to address the blight of homelessness and crime currently in the area.
- The restoration of Coco Palms will reactivate public use of this area for the first time in decades.
- The restoration will help to address the decades of degradation of these public lands that have gone without active management and stewardship.
- The restoration will generate roughly 300 hundred direct construction jobs and 400 permanent full-time jobs when complete.
- The restoration will generate over \$300 million in direct economic activity for Kauai.
- The restoration will help to support cultural activities such as a lo'i kalo managed by lineal descendants, a cultural advisory group composed of Kauai Native Hawaiian leaders and a cultural center and museum as part of the project's community benefits.

Best regards,  
Courtney Tietjen

**From:** [Brien Sonzogni](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] IN SUPPORT of COCO PALMS RESTORATION, Agenda Item 6  
**Date:** Wednesday, December 6, 2023 7:48:51 AM

---

Aloha Chair Chang and members of the Board of Land and Natural Resources,

I hope this message finds you well. My name is Brien, and I am thrilled to express my wholehearted support for the restoration of Coco Palms and the proposed disposition of lands to RP21.

I am particularly excited about the prospect of rejuvenating the Coco Palms Resort, which holds a special place in our community as part of the Coco Palms Resort Historic District on both the national and state historic registers.

One notable aspect of this project is the commitment to establishing public parking and public restrooms on these lands, addressing essential needs identified by the community. What's even more commendable is that Coco Palms plans to fund these facilities, showcasing a genuine dedication to enhancing the community's well-being.

I would like to highlight that the Kauai County Planning Commission and the Kauai County Planning Director have recently affirmed that the restoration project has the necessary permits and approvals to proceed. This reinforces the belief that the project is not only well-vetted but also aligns with the community's interests and values.

It's important to note that the decision before the BLNR is not centered around approving the restoration of Coco Palms itself, as that approval was secured years ago by the County. Instead, the BLNR has a unique opportunity to give the green light for Coco Palms to utilize these lands in a way that significantly benefits our community.

Considering these factors, I am writing to strongly urge the BLNR to wholeheartedly endorse the recommendations outlined in the staff report for the disposition of these parcels. This project holds immense promise for our community, and I am confident that its approval will contribute positively to the well-being and vibrancy of our surroundings.

Thank you for your time and consideration of this matter.

--

Best Regards,  
Brien Sonzogni

**From:** [Marta Hulsman](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] item d 6 12 7 23  
**Date:** Tuesday, December 5, 2023 9:20:11 AM

---

I am writing this in strong opposition to the Land Agenda Item D 6 12 7 23.

As a resident of Kapahi for over 20 years I have been stuck in traffic looking at the eye sore that was once the Coco Palms Hotel.

An additional lane was just completed that almost keeps the traffic moving. By putting a new hotel in this area which is a very sacred place, but will put that area back into gridlock.

Also, with rising sea levels, the beach fronting the hotel is almost gone.

There are so many reasons to not to do this build: waste water, traffic, sea level rise, stripping the area of it's cultural significance and lands, etc.

The permits issued should be pulled as the new party RP21 has violated the terms by illegally grading & cutting down healthy trees.

Please let this be open space and a cultural center for all to enjoy.

Thank you, Marta Hulsman

*Marta Miller Hulsman*

*Site Manager Kapaa Neighborhood Center & Anahola Clubhouse*

*(808) 822-1931*

*Mhulsman@kauai.gov*

**From:** [Georgia Hoopes](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Leases to TMK 4-1-003:044 and 4-1-005:017  
**Date:** Tuesday, December 5, 2023 1:47:14 PM

---

To BLNR BOARD,

Please do not grant the leases being considered to parcels TMK 4-1-003:044 and 4-1-005:017 to RP21. If leases are granted to anyone, the BOARD must require the recipients to do an environmental assessment as required by HRS343.

My choice for the land where Coco Palms has lain in ruins since hurricane Iniki is for it to revert to a natural wetland. It's foolish to build another resort on land that's so vulnerable in so many ways, including water flooding from raising sea levels, hurricanes and tsunamis.

Pre-statehood and before Coco Palms, this land was a bird sanctuary, ancient burial land, a center of culture and was sacred to the entire island of Kauai. It's been far too long since the land use has been out of balance and prone to a lot of problems for the investors, the community and the environment.

Thank you for considering my input.

Georgia Hoopes  
4460 Ikena Place  
Kalaheo

**From:** [Max Keyser](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] My support in restoring Coco Pals, Agenda Item 6  
**Date:** Wednesday, December 6, 2023 7:56:21 AM

---

Aloha Chair Chang and members of the board, my name is Max Keyser and I am here to express my strong support for the revitalization of Coco Palms and advocate for the allocation of lands to RP21.

Coco Palms is not only a place to stay but a landmark in itself. For over 30 years, Councils and Departments have been taking action to support the Resorts Restoration. Now, we are closer than ever and have seen real progress under the new ownership. My hope is that Reef will be allowed to continue working and be granted the 3 state-owned parcels that have always been designated to Coco Palms. If this happens, I am confident that there will be improvements in the community as a whole.

Thank you for your time,  
Max Keyser

**From:** [blackink329](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] No coco palms development  
**Date:** Wednesday, December 6, 2023 4:43:01 AM

---

Aloha,

A bad idea is a bad idea. This development is a bad idea. It is on sacred land. It should be given to Hawaiians to manage if BLNR can not manage.

These leases and permits should NOT be granted to RP21; and

That if they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.

Lisa Pollak

Wailua Rise

Sent from my iPhone



**From:** [Raymond Catania](#)  
**To:** [DLNR.BLNR.Testimony](#); [april8nineteen18@gmail.com](mailto:april8nineteen18@gmail.com)  
**Subject:** [EXTERNAL] No permits to Coco Palms developers to State Lands  
**Date:** Tuesday, December 5, 2023 5:19:19 PM

---

Dear BLNR,

There should be no permits to developers that will use State lands to open access to the building of an unwanted 350 room hotel. Let us protect Wailuanuiahoano.

Mahalo,

Ray Catania 4215 Kole Place, Puhi  
[april8nineteen18@gmail.com](mailto:april8nineteen18@gmail.com)

,

**From:** [MARIANNEGEOGE](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] No resort on coco palms conservation land  
**Date:** Wednesday, December 6, 2023 2:28:01 AM

---

Dear BLNR

I urge you to reject and stop any resort development on the conservation land of Wailuanui aka the old CocoPalms site. Don't continue allowing further desecration of this area. It should be a protected community-use conservation area. No more illegal actions by developers. You have let this go on for over 3 decades. It's way past time to stop it.

Sincerely

Marianne George

Sent from my iPhone

**From:** [Scott Poland](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] No  
**Date:** Tuesday, December 5, 2023 1:54:42 PM

---

Dear BLNR and Kauai Council,

I am writing to express my deep concern regarding the proposed resort development on the public lands in Wailua, Kauai. As a passionate advocate for preserving our natural heritage and ensuring access to public lands for all, I strongly oppose any plans that prioritize resort development over the greater good of the community.

Public lands hold immense value, serving as a collective treasure for the people—a space where residents and visitors alike can immerse themselves in the beauty of nature, connect with the environment, and appreciate the cultural significance of these spaces. The proposed development threatens to disrupt this delicate balance and compromise the accessibility of these lands for future generations.

Preserving public lands is not just an environmental concern; it's a matter of social justice and community well-being. These lands play a crucial role in the cultural heritage of Kauai, providing opportunities for education, recreation, and spiritual nourishment. They serve as a sanctuary for local flora and fauna and contribute to the island's unique ecosystem.

While development can bring economic opportunities, it should not come at the expense of irreversibly altering the natural landscape or impeding public access. There are alternative ways to support economic growth that do not involve encroaching upon these vital public spaces.

I urge decision-makers to prioritize the long-term interests of the community and the preservation of these public lands. Let's explore sustainable and equitable solutions that safeguard the environment, respect cultural heritage, and ensure that these precious lands remain accessible to all.

Thank you for considering the concerns of the community and the importance of protecting our public lands for the greater good. Together, we can make choices that honor our heritage and create a legacy of stewardship for generations to come.

And remember the Coco Palms should never have been built in that location the first time let's not make that same mistake again, please do not renew leases for this outside entity .

Sincerely,  
Scott Poland

**From:** [Jill McAlister](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Oppose Agenda Item D-6 Coco Palms  
**Date:** Tuesday, December 5, 2023 9:11:42 PM

---

Aloha,

I am a resident in Kilauea town. My husband is an emergency physician at all three hospitals on island. We have three young children. Together, we are writing to oppose permits being granted to RP21 for resort purposes. We hope the land will be preserved for our children and our community. We do not want a resort built on this land. We want our beautiful Kaua'i to stay beautiful and pristine. Please do not grant permits to build on this land. Please protect our island, our delicate ecosystem, and help us pass on a better environment to our keiki and future generations.

Kind regards,  
Jill McAlister  
2561 Titcomb St,  
Kilauea, HI 96754  
(808)278-2514

**From:** [Annie Hart](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] OPPOSITION FOR RESORT DEVELOPMENT OF COCO PALMS  
**Date:** Tuesday, December 5, 2023 10:37:05 AM

---

Aloha mai,

I am writing testimony to oppose the development of a resort on the current Coco Palms land. Kaua'i is a very small island that already does not have the capacity to support the amount of tourism coming in. It does not even have the staff to support the current amount of resorts, restaurants, and tourist activities. Ask anyone working in the hotel and resort industry and you will find that every single place is understaffed and the workers are underpaid for the cost of living here on Kaua'i. Not to mention, there is not enough affordable housing to host the people that serve the tourism industry. But that is besides the point here. Coco Palms should have never been developed in the first place. It is sacred Hawaiian land that needs to be returned to and managed by Hawaiians. Kaua'i does not need, nor do we want, another resort development. It is wrong both morally and environmentally. It is absolutely clear that Kaua'i and its people do not want the Coco Palms area to be developed into a resort. The consequences will be terrible if this happens.

Here are a few more reasons to not use these lands for resort-related purposes:

1. That these leases and permits should NOT be granted to RP21; and
2. That if they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.

There are so many reasons not to use these lands for resort-related purposes, but **it's essential to focus right now on the points that will matter most to the BLNR**. In our opinion, those are:

- The further development and hardening of these wetland ecosystems degrades the resilience and environmental services that this sensitive environment provides.
- The development of these coastal lands will negatively impact our resiliency to sea level rise and climate impacts in the coming decades.
- Allowing the use of these State lands in conjunction with the planned resort commercial development will **contribute directly** to increased impacts on the shoreline, nearshore water quality, and further degrade existing cultural, historical, and archeological elements.
- These lands are situated in **environmentally sensitive areas** with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean.

Sincerely,  
Annalise Hart

**From:** [Robin Mazor](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Opposition to Agenda item D6  
**Date:** Wednesday, December 6, 2023 9:00:16 AM

---

Aloha,

I'm writing about parcel C of the Coco Palms development TMK 4-1-005:017 that's being considered for a 30-year lease. Rather than lease to the Coco Palms, please add this small parcel to the County of Kaua'i Wailua Beach Park Government Reserve.

There is no room for a bus turn around as proposed by the developers, and this area would also be made exclusive so that there will no longer be public use of this parking access to the ocean. This access is important to cultural practitioners, fishers, surfers, family beach goers, etc. and there is no other public parking on Wailua Bay due to shoreline erosion.

Thank you for your consideration,  
Robin Mazor

**From:** [Jordan Lemke](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Opposition to agenda item Land Division #6  
**Date:** Tuesday, December 5, 2023 2:37:11 PM

---

Testimony: BLNR meeting scheduled for 12-7-23  
Opposition to agenda item Land Division #6

Re: CocoPalms - 6. Issuance of Term, Non-Exclusive Easements to RP21 Coco Palms LLC, Wailua, Kawaihau, Kauai, Tax Map Keys: (4) 4-1-003:044 and (4) 4-1-005:por. 017; Issuance of Revocable Permit to RP21 Coco Palms LLC and Sale of Lease at Public Auction for Parking and Landscaping Purposes, Wailua, Kawaihau, Kauai, Tax Map Key: (4) 4-1-003:017; and Immediate Right-of-Entry for Management Purposes to RP21 Coco Palms LLC, Wailua, Kawaihau, Kauai, Tax Map Keys: (4) 4-1-003:044, (4) 4-1-003:017 and (4) 4- 1-005:por.017.

Aloha,

I am writing in strong opposition of agenda item D-6. If, in the event any easements, revocable permits, leases, or right-of-entry are granted, I strongly encourage the BLNR to ensure compliance with HRS343 and require, at minimum, an environmental assessment fully disclosing potential environmental impacts from the planned use of these parcels in conjunction with the planned resort development.

I am a resident of Wailua Homesteads on Kaua'i and drive up and down Kuamo'o Rd. every day. The eyesore that is the dilapidated Coco Palms hotel stands, more than 30 years after Hurricane 'Iniki bore its force upon Kaua'i.

I have been working with the community-based nonprofit, I Ola Wailuanui to help move this wa'a along towards its goal of seeing Wailuanuiaho'āno as a place where kama'āina and malihini alike come to learn of its rich mo'olelo.

Of course I am in opposition of a hotel, whether or not I were affiliated with I Ola Wailuanui, as a concerned community member, I would still be vehemently against a hotel.

The impacts that a 350-room resort would have on this 'āina would be devastating. The impacts to the community members, even more so.

However, being I am writing to an agency ***meant to ensure that the precious natural resources this pae 'āina has to offer are protected***, I will focus my points on the environmental impacts that need to be considered.

I see staff submittal pertaining to these items are recommending not only granting these public lands to continent-based developers, they are also recommending leasing revocable permits at 40-year lease terms. This is purely outrageous and I seriously question the motives of staff who recommends a lease that, for everyone else is reviewed on a yearly basis, be given to commercial developers for 40 years.

Additionally, these Utah-based developers are STILL under investigation for the unauthorized cutting of at least 75 healthy coconut trees, and the dumping of those trees on conservation zoned land. Giving extreme new meaning to the phrase "Better to seek forgiveness than to ask for permission". How does this prove these people mean well? Why, when I drive past the coconut grove parcel, TMK 4-1-003:005, have I seen workers in yellow shirts and hardhats daily, clearing debris from the grove? The developers, who are donning the LLC RP21 to seemingly differentiate themselves from the other bad actors who have come along trying to "save Coco Palms", are not listed as the lessee of the parcel. Coco Palms Ventures, LLC is listed as the lessee. That company has been recognized as defunct in the state of Hawai'i since 2017. So who is working on that parcel, and for what purpose?

A Petition to Revoke permits has been filed to the Kaua'i Planning Commission by legal counsel working with I Ola Wailuanui on November 22, 2023. Also, on November 20, 2023, I Ola Wailuanui legal counsel wrote to the Army Corp of Engineers informing of an expired NPDES waiver yet the developers say they plan to begin demolition of the structures any day now.

Allowing the use of these State lands in conjunction with the planned resort commercial development will contribute directly to increased impacts on the shoreline, nearshore water quality, and further degrade existing cultural, historical, and archeological elements. I Ola Wailuanui has formally applied to lease and or secure the required RP's in order to provide appropriate community stewardship of these lands in a manner that protects the environment, honors the historical and cultural significance, and is beneficial to the entire community.

Any and all entities that are granted a lease or RP to these lands must be required to comply with HRS Chapter 343 and at the minimum conduct an Environmental Assessment (EA) of their proposed uses and impacts, and conduct a full Environmental Impact Statement (EIS) if those proposed uses and impacts are related to the facilitation of new resort development.

I sincerely appreciate the Board for taking the time to review submitted testimony, and also for allowing virtual attendance so that community members can submit oral testimony. I pray this is not an instance of hours of testimony in opposition to an item resulting in a huge blow to those who just begged and pleaded with an agency who is supposed to serve them, not commercial interests.

I trust this Board to do what is pono for the people of Hawai'i, and especially for the wahi pana that is Wailuanuiaho'āno.

Mahalo for your consideration.

Me ke aloha  
Jordan Loudon



**From:** [Leanne Dahlin](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Opposition to development of Coco Palms property and use of public lands  
**Date:** Wednesday, December 6, 2023 9:01:16 AM

---

Dear BLNR state and State of Hawaii officials,

Our community is firmly opposed to the proposed renewal of the ( formerly labeled), Coco Palms property on Kauai.

It is a widely-regarded view here that:

- this particular location,
- the significant cultural history preservation issues,
- numerous associated valid environmental concerns,
- sea rise realities,
- traffic problems,
- the history of repeated violations of agreement and law by developers ( including the recent ones, resulting in recent state action),

all combine to close the door on any renewal of this repeated cycle on this land.  
Do not give away our public land use.  
Please decline.

Additionally, an environmental review will be a legally required required action.

Sent from my iPhone

**From:** [Maria Walker](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Opposition to Issuing any new Revokable Permits for Coco Palms LLC  
**Date:** Tuesday, December 5, 2023 3:07:13 PM

---

Aloha Chair and Board Members,

I am writing to you to express my extreme opposition to awarding any more permits to RP21 Coco Palms LLC for developing that Wailua property.

My family and I have lived in Kapa'a for the last 25 years, and we believe firmly that the current permit holders should be prevented from any further access to the site. This development group is already under investigation for conducting grading, grubbing, and other activities without the correct permits, often actually legally trespassing. They wish to proceed with development without doing any of the required environmental impact assessments. This clearly shows a total lack of respect for the site's cultural and historic importance and its environmental sensitivity, while also completely flouting the critically important county and federal requirements that are in place precisely to prevent this sort of occurrence.

Contributing to my family's opposition to Coco Palms LLC are the myriad of factors indicating that there should be no resort development at all on this site. To list a small portion of these issues:

- the location in a tsunami zone
- the obvious danger of sea level rise
- the lack of sufficient water treatment facilities -sensitive habitat for endangered species
- the already intense overdevelopment of tourist accommodations in the Kapa'a area
- the traffic congestion that ruins the visitors experience while greatly impacting daily life for residents

If the BLNR wishes to have any development at the site, please consider the benefit of a cultural and historic center that would protect the environment while benefiting both visitors and residents. I Ola Wailuanui has a plan that we support wholeheartedly.

Thank you for hearing my testimony and for your careful consideration of this matter that will affect the precious future generations of Kauaians.

Mahalo,  
Maria Walker  
1728 Hulu Rd.  
Kapa'a, HI, 96746

**From:** [Leif Erickson](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Our support for Coco Palms restoration (agenda item 6)  
**Date:** Tuesday, December 5, 2023 3:01:58 PM

---

Aloha chair, chain, and members of the board of land and natural resources,

My name is Leif Erickson and I am testifying in support of the restoration of Coco Palms, along with the disposition of lands to RP 21

These lands are designated as part of the Cocoa Palms historic district under the national and state historic register. As a result, these lands should continue in its historic use. For more than 30 years many organizations have fought in support of the resorts restoration.

It is finally in these last couple years that we have seen consistent progress in the efforts of someone to restore Coco palms. We support and hope that you will find a way to make this possible. We thank you for your continued support on behalf of our beloved islands.

Mahalo nui loa!



**LEIF ERICKSON**

REALTOR-ASSOCIATE®, RS-85270

Cell: 435.650.4551 | Email: [lerickson@fathomrealty.com](mailto:lerickson@fathomrealty.com) |

Fathom Realty HI LLC

500 Ala Moana Blvd Suite 7400, Honolulu, HI 96813



--

**LEIF ERICKSON**

REALTOR-ASSOCIATE®, RS-85270

Cell: 435.650.4551 | Email: [lerickson@fathomrealty.com](mailto:lerickson@fathomrealty.com) |

Fathom Realty HI LLC

500 Ala Moana Blvd Suite 7400, Honolulu, HI 96813





**From:** [seafire@baymoon.com](mailto:seafire@baymoon.com)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Please Do not use public lands for Coco Palms development  
**Date:** Tuesday, December 5, 2023 9:33:43 AM

---

Dear BLNR:

With respect, please do not allow the use of public lands for the building of the new Coco Palms development. The environmental degradation & negative impacts alone will haunt Kauai for years to come. These are historically & environmentally significant wetlands that should remain intact.

Please, these leases and permits should NOT be granted to RP21; and if they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.

Respectfully, opening an easement for loads of building materials on tractor-trailers for a 300+ room hotel? Look at the massive work at the bridge. An easement would be opening up Public Lands to the breaking of more rules while the offenders are simply fined a nominal amount.

Your decision has the potential to cause some major damage & the public will be pretty irate watching helplessly as their heritage is run over non-stop.

Please make the right decision & deny RP21 the use of these very important Public Lands.

Respectfully & with Aloha,

Deb & Robert Dixon

Kapaa

**From:** [laurel francis](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] re Coco Palms  
**Date:** Tuesday, December 5, 2023 1:25:08 PM

---

Please do not grant leases and permits to RP21 which I strongly oppose as a long time resident of Kauai, both in Kilauea where I now live and 25 years ago on west side.

And please require any potential recipients to comply with HRS343.. We love our island and wish to protect it!

Thank you for your attention.with Aloha,  
Laurel Francis

**From:** [Lindsey Fritz](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Re: Kauai Coco Palms  
**Date:** Wednesday, December 6, 2023 7:35:57 AM

---

In addition, these developers have no concern for our environment. To think they will comply moving forward is naive. If they cared, they would be already cleaning their current mess. This whole project is an environmental disaster. If you choose to move forward you must to do an environmental assessment in compliance with HRS343. This entire area is sensitive. It's wetlands. It's super close to the ocean and an already eroding beach. There are springs and waterways. This is not ideal construction grounds. This is not something that will benefit anyone. They are already NOT taking care of the area. They have proven they do not care and their record shows. What makes you think they'll change? How many years already and no one has cleaned the area. It's a hazardous site as is. It has not been cared for at all and it's really sad. There is no need to allow this to continue.

I say revoke all permits and condemn the property so it can get cleaned up.

These developers have done nothing for our community. This is confusing why DLNR & BLNR are even considering allowing a hotel. I thought your best interest was caring for the land and environment. People aside. Money aside. Do what is right for the land.

Mahalo!!! - Lindsey (born and raised on Kaua'i)

Sent from my iPhone

On Dec 6, 2023, at 7:24 AM, Lindsey Fritz <lnoelani@icloud.com> wrote:

Aloha BLNR,

Mahalo for listening to our community. I am writing to testify on behalf of my entire family and state that we strongly oppose the use of Wailua public lands for resort development (Coco Palms). Allowing the developers to use these public lands for the resort will have negative impacts on the community and the environment.

I do not know a single person living in the Kawaihau district (Wailua & Kapa'a) who want a new coco palms. And according to the developers themselves, they cannot even find the support here and would have to bring in workers. We do not have enough housing as it is. We (the island) cannot support a development that is not self sufficient and we cannot house and support these new workers.

The developers are unrealistic in their ambitions. There are too many factors working against them and yet they continue to force the plan yet have little to no action.

It is time to end the charade. No hotel. Return the land to nature.

This matter is a foreign developer versus a local community. Again, the developers have no

support and are unrealistic. Please do what is Pono. Do what is right for the majority, not the one.

Thank you!

Sent from my iPhone



**From:** [Mele Stokesberry](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Strong opposition to giving developers leases for old "Coco Palms"  
**Date:** Tuesday, December 5, 2023 12:14:47 PM

---

To: The Board of Land and Natural Resources

From: Mele Stokesberry, P. O. Box 880231, Pukalani, HI 96788

I strongly oppose issuing and easements or leases for TMK 4-1-003:044 and 4-1-005:017 to the the RP21 Coco Palms LLC Developers.

I also write to oppose issuing these developers Revocable Permits (RPs) for and the sale of the Lease at public auction for the Kuamoo Rd corner state parcel (TMK 4-1-003:017) or any right of entry to 3 state parcels to utilize public lands in the development of their 350 room hotel. (TMKs 4-1-003:044, 4-1-003:017 and 4- 1-005:por.017).

These leases and permits should NOT be granted. If they are ever granted to any entity, there must be an environmental assessment, in compliance with the law -- HRS343.

These lands are situated in **environmentally sensitive areas** with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean.

Mele Stokesberry

**From:** [Alan Hoffman](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Strongly oppose agenda item D-6 12/7/23  
**Date:** Tuesday, December 5, 2023 9:53:50 AM

---

Aloha board members,

Thank you for taking the time to read our testimonies, I strongly oppose agenda item D-6. The would be developers of Coco Palms RP21 have shown time and time again that they will lie and use whatever tactics necessary in an attempt to get there way. We know they keep changing names and that it has always been the same people funding behind the scenes gambling with pensioners money they will do whatever it takes trying to buy out favor in the community causing more division with no intention of doing right by the community or land. Please show that the State cares about the people and will not also be bought out by money and instill some trust of the state within the community that you will do the right thing. So many of us are watching as this debacle sadly continues to unfold.

Mahalo,

Alan

**From:** [Allison DeYenno](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Strongly Oppose Land Agenda Item D-6 12-7-23  
**Date:** Tuesday, December 5, 2023 9:22:56 PM

---

Members of the Board of Land and Natural Resources,

I ask that you please do not extend permits for the Coco Palms development. I strongly oppose the use of these public lands for resort development. Allowing developers to use these public lands for a resort will negatively impact our community and the environment.

This is already a congested intersection and a resort built on this land will have an adverse impact on the quality of life for residents and on the nearby wastewater treatment plant that is already having issues. It will also add to the pollution of the ocean and Wailua River because of a high water table and direct communication between the site's drainage canal behind the hotel to the river.

This land should be reclaimed and returned to the community. Anything else is not sustainable and would negatively impact our island.

Thank you,  
Allison DeYenno

**From:** [Emma Hagan](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Strongly Oppose Land Agenda Item D-6 12-7-23  
**Date:** Tuesday, December 5, 2023 12:09:15 PM

---

Kauai does not need another large resort. We do not need more traffic on our congested roads. We do not need overburden the waste water treatment center that is already struggling to keep up. We do not need more pollution in the Wailua River, or the ocean. We do not need to do business with an entity that does not respect the rules that are in place to protect the ecology and culture of our home.

Please, can we start making decisions from a place of protecting the 'aina, and preserving the things that make this such a special place to live and visit, rather than constantly chasing after more tourist dollars. There is a name for constant growth in nature. It's cancer.

Please protect our island.

Sincerely,

A Wailua Resident

**From:** [Meredith Cross](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Strongly Oppose Land Agenda Item D-6 12-7-23  
**Date:** Wednesday, December 6, 2023 7:19:09 AM

---

Among many other reasons, I feel that this congested intersection near Wailua River and Kuhio Highway will not work for such a development without great adverse impact to the quality of life for those travel the roads nearby, for the nearby waste water treatment plant that is already ailing, for the safety of the ocean and river whose waters are very likely to be polluted with the demolition and construction because of a high water table and direct communication between the site's drainage canal behind the hotel which runs under Kuamo'o to the Wailua River.

The cultural significance of this area along with the kupuna buried in the are bigger reasons to stop any and all disturbance of this land. I oppose!

Meredith Cross  
Kapa'a, HI

**From:** [pkzlwolny](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Strongly Oppose Land Agenda Item D-6 12-7-23  
**Date:** Tuesday, December 5, 2023 5:01:48 PM

---

Dear BLNR,

I am a homeowners in Koloa with a BA degree in Environmental Studies. Because of my background, I believe that construction activities at the CoCo Palms with it's high water table and drainage into the river and ocean would have a detrimental impact on the environment. I also think it would have an impact on the water treatment system for the neighboring community. The development would have a negative impact on Kauai

Conversely, the neighboring community and all of Kauai's residents would have a great benefit for all if the land could be developed into a historical park for all to enjoy for decades to come. I encourage you to consider the many many positive benefits that responsible development of the area could bring to the island. Please consider the greater good, rather than the good for a wealthy developer.

I am writing to express our strong opposition to Land Agenda D-6 12-7-23.

Sincerely,

Pam Wolny  
2229 Iukika Pl  
Koloa, HI. 96756

**From:** [Martha Boiser](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Strongly Oppose Land Agenda Item D-6  
**Date:** Tuesday, December 5, 2023 8:44:37 PM

---

Aloha,

As a 33 year old, born and raised on Kauai, I have seen the island change immensely even in only a few decades. One change that is evident is the ever changing weather patterns and shoreline due to climate change.

The impact that this resort would do to not only the shoreline but to the nearshore water quality is one reason to deny these leases of state land to developers.

Imagining one more piece of this island being stripped from the Kanaka and instead be consumed and depleted of its resources, just so another greed driven developer can profit is not something I wish to see happen once again. Especially in these beautiful and historic grounds.

I could go on and on about how this would damage the environment/water/river in the area, drain few resources we have left, cause major traffic issues that have not been dealt with swiftly to begin with, but I digress...

I strongly believe that these leases and permits should NOT be granted to RP21.

I truly hope someone is reading this along with I'm sure the hundreds of others emails. For once I would like to see a change for the better on this island, with the island and its peoples betterment in mind.

Mahalo,  
Martha Boiser

**From:** [Brady Hutchins](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Support for Agenda Item 6 (Coco Palms)  
**Date:** Tuesday, December 5, 2023 3:42:06 PM

---

Hi all,

I'm writing in support of the disposition of these land parcels. I believe that allowing the Coco Palms restoration project the use of state land will be beneficial for everyone, including the community. I have been told that if the project is given use of this land, the plans include public facilities such as parking and restrooms. That sounds like a really good use of this land! I think that RP21 has the ability to utilize this land to its fullest potential, continuing the traditional use of the land by Coco Palms ownership.

Thanks,  
Brady Hutchins



**From:** [Kyle Hutchins](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Support for Coco Palms Restoration - BLNR Testimony  
**Date:** Wednesday, December 6, 2023 7:04:41 AM

---

Aloha Chair Chang and members of the Board of Land and Natural Resources,

I hope this message finds you well. My name is Kyle Hutchins, and I am writing to express my strong support for the restoration of Coco Palms and the disposition of lands to RP21, as outlined in Agenda Item 6.

The significance of Coco Palms Resort and its historical importance to our community cannot be overstated. These lands, which are part of the Coco Palms Resort Historic District under the national and state historic registers, have played a pivotal role in our cultural heritage.

For decades, these state lands have been entrusted to the owners of the Coco Palms Resort, and I believe it is essential to continue this tradition. The restoration of Coco Palms Resort aligns with preserving its historic use and significance.

One crucial aspect of this restoration is the commitment to providing public parking and public restrooms. These amenities are not only beneficial to the community but are also sought-after improvements that Coco Palms Resort is eager to fund.

Over the years, multiple local authorities, including Kauai County Councils, Kauai Mayors, County Planning Commissions, Kauai Planning Departments, and prior Boards of Land and Natural Resources, have consistently shown support for the Resort's restoration. This broad consensus reflects the importance of this project to our community.

It is worth noting that the recent affirmations by the Kauai County Planning Commission and the Kauai County Planning Director have reinforced the proper permitting and approval of the restoration project.

Under the new ownership of Reef Capital, significant efforts have been made to rectify past issues and revitalize this iconic landmark. The restoration of Coco Palms is not only about rebuilding a resort but also about rejuvenating our community.

The decision before BLNR is an opportunity to further benefit our community by approving the recommendations in the staff report for the disposition of these parcels.

Furthermore, the restoration of Coco Palms carries additional positive impacts. It can help address the challenges of homelessness and crime in the area, reactivate public use of the land, and restore these public lands to active management and stewardship.

Additionally, the project promises to create hundreds of construction and permanent jobs, inject substantial economic activity into Kauai, and support cultural activities, including a lo'i kalo, a cultural advisory group, and a cultural center and museum.

In summary, I strongly urge the BLNR to support the restoration of Coco Palms and the disposition of lands to RP21. This decision is not only about preserving our cultural heritage but also about revitalizing our community and bringing about positive change.

Mahalo for your time and consideration.

Warm regards,

Kyle Hutchins

**From:** [Melissa Hutchins](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Support for Coco Palms Restoration - BLNR Testimony  
**Date:** Wednesday, December 6, 2023 7:11:25 AM

---

Aloha BLNR Members,

I am writing in full support of the Coco Palms Restoration and the disposition of lands to RP21, as outlined in Agenda Item 6.

Coco Palms Resort is an integral part of our cultural heritage, and it deserves to be restored to its former glory. These lands have been entrusted to the resort's owners since 1962, and I believe it's vital to maintain this tradition.

The restoration project not only preserves our history but also benefits our community. It includes plans for public parking and restrooms, addressing long-standing community needs.

I urge the BLNR to approve the recommendations in the staff report for the disposition of these parcels. This decision will not only rejuvenate our community but also create jobs, stimulate economic activity, and support cultural initiatives.

Thank you for your consideration.

Mahalo,  
Melissa

**From:** [Zachary Bentley](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Support for the Coco Palms Restoration - Agenda Item 6  
**Date:** Wednesday, December 6, 2023 1:03:07 PM

---

I'm writing you to support the rehabilitation of the Coco Palms Resort and the disposition of lands to RP21. Coco Palms has been in a dilapidated state for the past 30 years. It is time to restore this property and bring it and the area back to its former glory. This project will do so much to help the area. Allowing the resort to continue its use of these parcels will help this project succeed and help the community! For these reasons, I strongly hope that the BLNR will approve the recommendations in the staff report for the disposition of these parcels.

Thank you,

Zach Bentley

**From:** [stewart rutter](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Support of Coco Palms Restoration  
**Date:** Tuesday, December 5, 2023 7:46:28 PM

---

Dear Chair Chang and Members of the Board:

I am writing to testify my support for the restoration of Coco Palms and the disposition of lands to RP21. These lands are designated as part of the Coco Palms Resort Historic District under the National and state historic register and these lands have been assigned to the owners of Coco Palms Resort since 1962. I believe they should continue their historic use. The owners plan, among other improvements, to provide public restrooms and parking that will greatly benefit the community at the expense of the Coco Palms Resort owners. In less than two years since acquiring Coco Palms and its affiliated entity RP21 the new ownership group, Reef Capital Partners, has worked diligently to turn around failed attempts by previous owners. I believe the approval of the restoration and use of these lands will be in the best interest of the community. I urge the BLNR to approve these recommendations.

Respectfully,

Stewart Rutter  
Sent from my iPhone

**From:** [Corey Enloe](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Support of COCO PALMS Restoration, Agenda Item 6  
**Date:** Tuesday, December 5, 2023 7:06:46 PM

---

Aloha Chair Chang and members of the Board of Land and Natural Resources,

My name is Corey Enloe and wife is Brenda Enloe. We are testifying in support of the restoration of Coco Palms and the disposition of lands to RP21. Having spent quality family time in Kauai and close to Coco Palms, we are excited for this property to become a treasure of the island that we have heard and read about.

These lands are designated as part of the Coco Palms Resort Historic District under the national and state historic register. These same state lands have been assigned to the owners of the Coco Palms Resort since 1962 and should continue its historic use. The current developer for Coco Palms will establish public parking and public restrooms to benefit the community that Coco Palms is here to support. Since Coco Palms was devastated by Hurricane Iniki over 30 years ago, Kauai County Councils, Kauai Mayors, County Planning Commissions, Kauai Planning Departments and even prior Boards of Land and Natural Resources have all consistently taken action or adopted policies in support of the Resort's restoration.

The current developer of Coco Palms, Reef Capital, has actively sought to turn around decades of failure by past owners and correct prior missteps in restoring Coco Palms as a place of cultural and historical significance in Kauai. They have made more progress and committed extensive resources in the last two years to ensure Coco Palms can return to being a community asset. We believe that the restoration of Coco Palms will provide a tremendous community asset, create memorable experiences for families and experiential travelers, and create numerous economic and civic benefits for the local community.

For these reasons, I/We strongly urge the BLNR to approve the recommendations in the staff report for disposition of these parcels.

Thank you,

Corey Enloe  
970-379-9523  
coreyenloe@gmail.com

**From:** [Mike Wilson](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Support of Keeping State RP Lands in the Coco Palms Historic District  
**Date:** Tuesday, December 5, 2023 1:15:12 PM

---

Aloha Chair Chang and members of the Board of Land and Natural Resources,

By way of introduction my name is Michael Wilson. I am writing to give my support and testimony of the restoration of Coco Palms and the disposition of lands to RP21.

As we all know, these lands have been assigned to the owners of the Coco Palms Resort since 1962. I feel these lands should continue its historic use. As this site presently is a blight, restoration will help to address its state and aid in the issue of crime and degradations of these public lands that are currently without active stewardship.

The economic impacts alone are staggering. By my understanding, upwards of 400 jobs will be created along with the hundreds of construction jobs that this project will create. The over \$300 million in economic impact for Kauai is impressive.

The most important piece of information, in my opinion, is the opportunity to have this area support cultural activities that would be comprised of Kauai Native Hawaiian leaders. Having a cultural center and museum would have an immense impact on the community and visitors alike. This impact cannot be measured.

Thank you for your contributions to these lands and consideration of my testimony!

Michael Wilson

**From:** [karen.cook](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony cocopalms  
**Date:** Wednesday, December 6, 2023 6:13:26 AM

---

I honestly can't believe that anyone would be giving permits without environmental assessments. This is a must these days with global warming and costal changes. Shame on you if you fail Kauai by allowing development of such important environmental and historical land.

1. That these leases and permits should NOT be granted to RP21 fo resort purposes.
2. That if they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.

Please listen the people who live and will be affected by this developent.

Karen Cook

Sent from my iPhone



**From:** [Serafina Gajate](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony concerning agenda item D-6  
**Date:** Wednesday, December 6, 2023 8:35:00 AM

---

Aloha mai kākou,

I am writing this testimony to please urge you to protect our communities and our 'āina by NOT granting any leases nor permits to RP21, that would see the continuation of resort development on sensitive public lands in Wailuanui.

If any leases or permits are to be granted, it is essential that the board REQUIRE that the recipients of the lease complete a thorough environmental assessment, per HRS343.

I strongly oppose the proposed Coco Palms developments, and any other resort developments at Wailuanui, for the following reasons:

- Wailuanui is a wetland area, and as has been seen time and time again, when wetlands are drained and/or modified for development, the environmental, community and cultural effects are devastating and cascading. This type of development degrades the ecosystem to the point that they are no longer able to fulfill their function within the ecology of the area, and all species - humans included - suffer as a result.
- Development of coastal lands in the face of accelerating climate change and sea level rise is both short-sited and irresponsible. Our remaining natural coastal areas must be protected and preserved, not sold off to the highest bidder so outside investors can extract yet more wealth out of Hawai'i, at the cost of our ability to live healthily and sustainably.
- Any commercial development on these State lands will **directly and negatively** impact the shoreline, nearshore water quality and wetland ecosystem, as well as further degrade the critical cultural, historical, and archeological features of the area.
- These lands are situated in **environmentally sensitive areas** with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean.

I respectfully urge you to please OPPOSE the propositions of agenda item D-6, and protect this incredible natural and cultural site.

Me ka ha'aha'a,  
Serafina Gajate  
Resident and State employee

**From:** [Kelly Sinclair](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony for agenda item (D-6)  
**Date:** Tuesday, December 5, 2023 1:27:19 PM

---

Dear BLNR,

I am a Kauai community member who strongly opposes the development of public lands by Coco Palms LLC Developers for a new resort. Please do NOT permits and leases to RP21. In the case that permits and leases must be granted to anyone, I strongly request that the Board requires the recipients to do an environmental assessment in compliance with HRS343.

Allowing the developers to use these public coastal lands, which are also a sacred historical site, for a new Kauai resort will have countless negative impacts on the community and the environment. My concerns include:

- These lands are situated in environmentally sensitive areas with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean.
- The further development and hardening of these wetland ecosystems degrades the resilience and environmental services that this sensitive environment provides.
- The development of coastal lands will negatively impact our resiliency to sea level rise and climate impacts in the coming decades.
- Allowing the use of these State lands in conjunction with the planned resort commercial development will contribute directly to increased impacts on the shoreline, nearshore water quality, and further degrade existing cultural, historical, and archeological elements.

Please make the right decision for Kauai's community. Disallowing a resort from being built in this coastal ecosystem and historic cultural place would be hugely inspirational.

Thank you,  
Kelly Sinclair



kelly sinclair vicar

**From:** [Pancho](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] testimony for Dec 7 meeting  
**Date:** Wednesday, December 6, 2023 9:00:56 AM

---

Aloha BLNR,

In regard to the BLNR meeting scheduled for Dec. 7, 2023, I want to express my opposition to granting easements in Wailua to RP21 Coco Palms Developers. In any case, an environmental assessment should be required. I'm 70 years old and I've personally seen beaches where I grew up in Kailua, Oahu destroyed by construction too close to the ocean. Coco Palms might have been a wonderful idea 80 years ago, but it doesn't make sense to me to promote any more development at this site in Wailua.

Me ka mahalo nui,  
Pancho Graham  
Po Box 427  
Kilauea, HI 96754  
808 346 0807

[www.panchograham.com](http://www.panchograham.com)

**From:** [Noel Shaw](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony for Thursday December 7th Meeting  
**Date:** Tuesday, December 5, 2023 11:38:17 PM

---

Aloha,

My name is Noel Shaw. I grew up going to Kapa'a to visit my grandparents, driving past the deserted Coco Palms development that I've since learned is actually the location of historical and culturally significant areas. I'm writing regarding Coco Palms development issues on your agenda. I am urging the BLNR to hold:

1. That these leases and permits should NOT be granted to RP21; and
2. That if they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.

Allowing these permits and leases to move forward are dangerous to an already threatened coast line. Since my childhood, I've seen the environment of the area change and as we witnessed a couple years ago when Hanalei had some massive landslides blocking their sole road in and out, for a small island with limited basic infrastructure, failing to be prepared for this kind of change by over developing an area can be catastrophic.

It's inappropriate for Kauai to develop a massive projects along this coastlines with sea level rise and it historically being subject to environmental shifts, such as flooding, heavy rains.

For the reasons above please consider taking the position I've suggested. Put 'āina first and we will all eat.

Thank you,

Noel Shaw

**From:** [Michael L. Smith](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Cc:** [I Ola Wailuanui Org](#)  
**Subject:** [EXTERNAL] Testimony in opposition to BLNR's consideration to grant Easements and "Rights of Entry" of government property adjacent to Coco Palms  
**Date:** Tuesday, December 5, 2023 10:13:54 AM

---

## **Testimony in opposition to BLNR's consideration to grant Easements and "Rights of Entry" of government property adjacent to Coco Palms**

For the residents of Kauai, particularly those living in Kapaa, we have suffered through more than 30 years of on again off again promises of Coco Palms restoration. And today we are no further along than on September 12, 1992! Please, if the BLNR is considering any governmental assistance, ie. Easements, Land Grants, "Rights of Entry", to the current owners of Coco Palms, that the people of Kauai have a say in the matter. We are tired of hearing so many "pie in the sky" plans by so many developers/speculators over so many years.

If BLNR is making such considerations have you done your due diligence or is this more wishful thinking? Will the community be given your research and decision making process as public servants? Have you verified that the proposed development is compliant with current flood zone requirements, ie 15 foot base flood elevations? Have you confirmed that the developer has obtained the necessary bonds and builder's insurance policies for their "planned project." What environmental studies have been provided to you that is a basis for your decisions? Before any government grants or easements are considered these types of issues must be considered in the eyes of the community.

Furthermore, and please take into consideration, that the construction of a large resort development within the Wailua Houselots, a residential community, would seriously affect the public safety and right of enjoyment to their property. Residents are concerned about the traffic congestion it would cause, about the safety risks put on children and adults walking or riding bikes on Haleileo Road, about the restrictions it would put on vehicles entering and leaving Wailua Houselots.

But the threat to public safety is much larger than that and the issues are manifold.

The wiseness of building in a flood zone,  
Threats of tsunamis,  
The current traffic congestion / emergency vehicle transport  
The bicycle/pedestrian path being blocked  
The desecration of Hawaiian sacred grounds  
And the list goes on....

As a reminder, this government land you are considering is in and adjacent to Hauola, the City of Refuge, with its Petroglyphs, its Birthstone, and its ancient Hawaiian legacies. As a plaque located on these grounds you are considering to give away states, Ua Mau Ke O Ka Aina I Ka Pono, The Life Of The Land Is Perpetuated In Righteousness. Please take this into consideration when deciding on what is best for your public, the people of Kauai.



**From:** [Beth Armstrong](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony in Support of Coco Palms Restoration and Land Disposition to RP21 for Resort and Public Use  
**Date:** Wednesday, December 6, 2023 8:22:54 AM

---

My name is Beth Armstrong, and I am honored to testify in strong support of the restoration of Coco Palms and the disposition of lands to RP21. I believe that this initiative is crucial for preserving the cultural and historical significance of the Coco Palms Resort.

The lands in question are an integral part of the Coco Palms Resort Historic District, recognized under the national and state historic registers.

Since 1962, these state lands have been associated with the ownership of the Coco Palms Resort, and the restoration aligns with their historic use.

As part of the land use, Coco Palms plans to establish public parking and public restrooms, addressing community needs and enhancing public facilities funded by the resort.

Over the past 30 years, various local bodies, including Kauai County Councils, Mayors, Planning Commissions, and Planning Departments, have consistently supported the restoration of the resort.

The Kauai County Planning Commission and the Kauai County Planning Director recently affirmed that the restoration project is properly permitted and approved to move forward.

Reef Capital, the new ownership group, has demonstrated a strong commitment to rectifying past failures and missteps, working tirelessly to restore Coco Palms within just two years of acquisition.

The decision before the BLNR is not to approve the restoration, as that was decided years ago. Instead, it is an opportunity to approve the utilization of these lands for the benefit of the community.

Additionally, the restoration of Coco Palms presents a unique opportunity to address the challenges of homelessness and crime currently prevalent in the area. The revitalization of this historic site will contribute to the overall safety and well-being of the community.

The restoration of Coco Palms marks a historic moment, reactivating public use of this area for the first time in decades. This initiative will open up the space for the enjoyment and benefit of residents and visitors alike.

The restoration project includes active management and stewardship of public lands, addressing decades of degradation that have occurred due to the lack of proper care and attention.

The project is expected to generate approximately 300 direct construction jobs and 400

permanent full-time jobs upon completion. This substantial employment opportunity will contribute to the economic well-being of the community.

The restoration is projected to generate over \$300 million in direct economic activity for Kauai, providing a significant stimulus to the local economy.

As part of the community benefits, the restoration will support cultural activities such as a lo'i kalo managed by lineal descendants, a cultural advisory group composed of Kauai Native Hawaiian leaders, and a cultural center and museum. These elements will enrich the cultural fabric of the region and contribute to the preservation of heritage.

In light of these points, I strongly urge the BLNR to approve the recommendations outlined in the staff report for the disposition of these parcels. The restoration of Coco Palms is not only a cultural and historical imperative but also an opportunity to bring renewed vitality to the community. It addresses pressing community needs and stimulates economic growth as well.

Mahalo for your attention and consideration.

Sincerely,

Beth Armstrong



**From:** [Fran McDonald](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony in Support of I Ola Wailuanui -Opposition to Coco Palm LLC permits  
**Date:** Tuesday, December 5, 2023 7:50:44 PM

---

Aloha BLNR Board of Directors,

I would like to submit testimony opposing the use of the public lands abutting the former Coco Palm for resort development. I strongly believe that allowing the developers to use these public lands for the resort will have negative impacts on our community and the environment.

I understand that the following items have been presented to the Board:

- The BLNR is considering issuing Term, Non-Exclusive, Easements to the RP21 Coco Palms LLC Developers for two state parcels (TMK 4-1-003:044 and 4-1-005:017). These easements will assist these developers in their plans for a hotel on the corner in Wailua through the use of these public lands.
- The BLNR is also considering issuing these developers Revocable Permits (RPs) for and the sale of the Lease at public auction for the Kuamoo Rd corner state parcel (TMK 4-1-003:017).
- In addition to these two items the BLNR is also considering granting these developers "Immediate Right-of-Entry" for three state parcels to utilize public lands in the development of their 350 room hotel. (TMKs 4-1-003:044, 4-1-003:017 and 4- 1-005:por.017)

I urge the BLNR Board to vote NO -

1. That these leases and permits should NOT be granted to RP21; and
2. That if they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.

Just a few of my reasons for opposition are listed below:

- The further development and hardening of these wetland ecosystems degrades the resilience and environmental services that this sensitive environment provides.
- The development of these coastal lands will negatively impact our resiliency to sea level rise and climate impacts in the coming decades.
- Allowing the use of these State lands in conjunction with the planned resort commercial development will **contribute directly** to increased impacts on the shoreline, nearshore water quality, and further degrade existing cultural, historical, and archeological elements.
- These lands are situated in **environmentally sensitive areas** with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean.

Mahalo for considering my testimony. I hope you will consider our island

community and our island's welfare over the financial desires of the developer.

Sincerely,

Fran McDonald  
4317 Kai Ikna Dr  
Kalaheo, HI 96741  
Call or text me at (808) 635-0165

**From:** [Jake Taylor](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony in Support of Keeping State RP Lands in the Coco Palms Historic District for Resort and Public Use  
**Date:** Tuesday, December 5, 2023 1:37:21 PM

---

Esteemed Members of the Board,

I extend my greetings to you and trust this correspondence finds you well. My purpose in writing to you today is to articulate my wholehearted endorsement for the restoration of the Coco Palms Resort and the consequential allotment of State RP Lands to RP21. This project, steeped in historical resonance and imbued with multifaceted community advantages, warrants earnest consideration.

Allow me to delineate the salient facets that underscore the pertinence of this undertaking:

**Historical and Cultural Distinction:** Coco Palms Resort, as an integral facet of our shared heritage, stands as a beacon of historical and cultural eminence, meriting meticulous preservation.

**Enduring Custodianship:** The enduring association of the proprietors of Coco Palms with State RP Lands since 1962 bespeaks a sustained commitment to the stewardship and heritage of these lands.

**Public Infrastructure:** A pivotal aspect of the proposal is the provision for public infrastructure, specifically parking facilities and restrooms, to be funded by Coco Palms. This not only addresses a communal exigency but also demonstrates a laudable corporate commitment to community welfare.

**Unanimous Community Support:** The enduring and unwavering support from diverse community stakeholders, spanning county councils, mayoral offices, planning commissions, and other influential entities, substantiates the prudence of this project.

**Socioeconomic Advancement:** Beyond the immediate physical restoration, the project portends consequential societal benefits, including the amelioration of prevailing social issues such as homelessness and criminal activities.

**Economic Viability:** Anticipated to generate a substantial influx of employment opportunities, both during the construction phase and in the long term, coupled with a commendable economic injection of over \$300 million, the project augurs well for the financial vitality of the region.

**Cultural Enrichment:** A noteworthy facet of the community benefits associated with this initiative encompasses support for cultural activities, thereby ensuring the perpetuation of indigenous practices and traditions.

In light of these considerations, I beseech the esteemed Board to lend its approval to the recommendations outlined in the staff report, endorsing the disposition of these parcels. By doing so, we collectively embark upon a trajectory that encapsulates historical preservation, community welfare, and economic upliftment.

I extend my gratitude for your careful deliberation of this matter and your unwavering commitment to the betterment of our community.

Respectfully,

Jacob Taylor

**From:** [Mason DeMayo](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony in Support of Keeping State RP Lands in the Coco Palms Historic District for Resort and Public Use  
**Date:** Wednesday, December 6, 2023 8:43:13 AM

---

Aloha Chair Chang and members of the Board of Land and Natural Resources,

My name is Mason DeMayo and I am testifying in support of the restoration of Coco Palms and the disposition of lands to RP21.

These lands have been assigned to the owners of the Coco Palms Resort since 1962, and I believe they need to stay this way and continue their historic status. These efforts will turn around decades of failure by past ownership and prior missteps. The utilization of these lands will benefit the surrounding communities in various ways.

Thank you for your time.

**From:** [Lexi Larsen](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony in Support of Keeping State RP Lands in the Coco Palms Historic District for Resort and Public Use  
**Date:** Wednesday, December 6, 2023 7:48:49 AM

---

Aloha Chair Chang and members of the Board of Land and Natural Resources,  
My name is Lexi Larsen and I am testifying in support of the restoration of Coco Palms and the disposition of lands to RP21.

I'm testifying in support of the restoration of the Coco Palms Resort and the disposition of lands to RP21. These lands are designated as part of the Coco Palms Resort Historic District under the national and state historic register. These same state lands have been assigned to the owners of the Coco Palms Resort since 1962. As a result, these lands should continue their historic use. As part of the use of these lands, Coco Palms will establish public parking and public restrooms - benefits sought by the community that Coco Palms would fund. For over 30 years since Coco Palms was devastated by Hurricane Iniki, Kauai County Councils, Kauai Mayors, County Planning Commissions, Kauai Planning Departments and even prior Boards of Land and Natural Resources have all consistently taken action or adopted policies in support of the Resort's restoration. As recently as last month both the Kauai County Planning Commission and the Kauai County Planning Director affirmed the restoration project is properly permitted and approved to move forward. In less than two years since acquiring Coco Palms and its affiliated entity RP21, the new ownership group, Reef Capital has sought to turn around decades of failure by past owners and correct prior missteps. The decision before BLNR is not whether to approve the restoration of Coco Palms, that approval was made years ago by the County. Rather, BLNR now has the opportunity to approve Coco Palms to utilize these lands for the benefit of the community. For these reasons, I/We strongly urge the BLNR to approve the recommendations in the staff report for disposition of these parcels.

Thank you,  
Lexi Larsen

**From:** [Jory Taylor](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony in Support of Keeping State RP Lands in the Coco Palms Historic District for Resort and Public Use  
**Date:** Tuesday, December 5, 2023 1:19:29 PM

---

Aloha Chair Chang and members of the Board of Land and Natural Resources,

My name is Jory and I am writing to express my strong support for the restoration of the Coco Palms Resort and the disposition of State RP Lands to RP21. As a concerned citizen and advocate for sustainable development and historical preservation, I believe that approving these recommendations will not only contribute to the revitalization of the Coco Palms Historic District but also bring substantial benefits to the community and the island of Kauai as a whole.

I would like to emphasize the following key points in favor of the restoration project and the disposition of lands to RP21:

**Historical Significance:** The State RP Lands are an integral part of the Coco Palms Resort Historic District, recognized both nationally and on the state historic register. The historical designation underscores the importance of preserving the cultural heritage of this site, making it deserving of careful consideration.

**Long-Standing Ownership:** Since 1962, the State RP Lands have been assigned to the owners of the Coco Palms Resort. This longstanding association indicates a historical commitment to the site and suggests that these lands should continue their historic use for the benefit of the community.

**Community Benefits:** The proposed restoration project includes plans for public parking and public restrooms, addressing needs expressed by the community. Coco Palms is committed to funding these amenities, demonstrating a dedication to enhancing the overall well-being of the local residents.

**Community Support and Approval:** The restoration project has garnered consistent support from various entities, including the Kauai County Councils, Kauai Mayors, County Planning Commissions, and Kauai Planning Departments. Recent affirmations by the Kauai County Planning Commission and Planning Director further validate the project's legitimacy and readiness to move forward.

**Positive Impact on the Area:** The restoration of Coco Palms will play a crucial role in addressing homelessness and crime in the region, reactivating public use of the area for the first time in decades. Additionally, the project will contribute to the active management and stewardship of

public lands, mitigating decades of degradation.

**Economic and Employment Benefits:** The restoration is expected to generate approximately 300 direct construction jobs and 400 permanent full-time jobs upon completion. This will not only boost the local economy but also provide valuable employment opportunities for the residents of Kauai.

**Cultural Support:** The project's community benefits include support for cultural activities, such as a lo'i kalo managed by lineal descendants, a cultural advisory group comprising Kauai Native Hawaiian leaders, and a cultural center and museum. These initiatives align with the preservation of cultural heritage and the promotion of community well-being.

I strongly urge the Board of Land and Natural Resources to approve the recommendations outlined in the staff report for the disposition of these parcels. The Coco Palms restoration project represents a unique opportunity to preserve Hawaii's cultural heritage, stimulate economic growth, and address community needs.

Thank you for your attention to this matter, and I trust that the Board will make decisions that reflect the best interests of the Coco Palms Historic District and the people of Kauai.

Mahalo,

Jory



**From:** [Jenny Muir](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony in Support of Keeping State RP Lands in the Coco Palms Historic District for Resort and Public Use  
**Date:** Wednesday, December 6, 2023 1:01:01 PM

---

Aloha Chair Chang and members of the Board of Land and Natural Resources,

My name is Jenny Muir and I am testifying in support of the restoration of Coco Palms and the disposition of lands to RP21 for the following reasons:

- These lands are designated as part of the Coco Palms Resort Historic District under the national and state historic register.
- These same state lands have been assigned to the owners of the Coco Palms Resort since 1962.
- As a result, these lands should continue their historic use.
- As part of the use of these lands, Coco Palms will establish public parking and public restrooms - benefits sought by the community that Coco Palms would fund.
- For over 30 years since Coco Palms was devastated by Hurricane Iniki, Kauai County Councils, Kauai Mayors, County Planning Commissions, Kauai Planning Departments and even prior Boards of Land and Natural Resources have all consistently taken action or adopted policies in support of the Resort's restoration.
- As recently as last month both the Kauai County Planning Commission and the Kauai County Planning Director affirmed the restoration project is properly permitted and approved to move forward.
- In less than two years since acquiring Coco Palms and its affiliated entity RP21, the new ownership group, Reef Capital has sought to turn around decades of failure by past owners and correct prior missteps.
- The decision before BLNR is not whether to approve the restoration of Coco Palms, that approval was made years ago by the County. Rather, BLNR now has the opportunity to approve Coco Palms to utilize these lands for the benefit of the community.
- For these reasons, I/We strongly urge the BLNR to approve the recommendations in the staff report for disposition of these parcels.
- The restoration of Coco Palms will help to address the blight of homelessness and crime currently in the area.
- The restoration of Coco Palms will reactivate public use of this area for the first time in decades.
- The restoration will help to address the decades of degradation of these public lands that have gone without active management and stewardship.
- The restoration will generate roughly 300 hundred direct construction jobs and 400 permanent full-time jobs when complete.
- The restoration will generate over \$300 million in direct economic activity for Kauai.
- The restoration will help to support cultural activities such as a lo'i kalo managed by lineal descendants, a cultural advisory group comprised of Kauai Native Hawaiian leaders and a cultural center and museum as part of the project's community benefits.

Thank you for your consideration.

Sincerely,  
Jenny Muir

**From:** [Nancy McMahon](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony In Support of Staff Report and Recommendation"s for Friday December 8, 2023 BLNR Agenda Items D.6  
**Date:** Tuesday, December 5, 2023 2:39:08 PM  
**Attachments:** [image001.png](#)

---

This involves three RP parcels that have always been always issued to the various past owners of the Coco Palms Resort. Tax Map Keys: ( 4) 4-1-003:044 ("Parcel A"), (4) 4-1-003:017 ("Parcel B") and ( 4) 4- 1-005:por. 017 ("Parcel C").

The driveway over Parcel A serves only the hotel and is not suited for any other proposed uses. Parcel C is unsuited for many purposed uses due to the location of and limited access to the parcel. It is a non-exclusive easement for building and landscaping purposes and a unusual shape and small size. It serves the owners of the adjacent Sea Shell Restaurant (RP21CP better.

Parcel B has a perpetual 25-foot-wide driveway easement for access to main hotel lobby area within the Coco Palms property (LOD 12850). It should also be noted that RP21CP has committed to improving the parking lot and providing at least 20 public parking spaces on Parcel B. RP21CP has agreed to provide a comfort station with showers and bathrooms for the public's use on its abutting private land. This makes keeps this land still for public parking and a comfort station.

I support the DLNR staff recommendation as presented to the Board of Land and Natural Resources.

+++++

[Nancy McMahon, Archaeologist/Cultural Resources](#)

3-2600 Kaunualii Hwy

Suite 1300-306

Lihue, Kauai, HI 96766

mobile: 808-639-6695

[explorationassociates@outlook.com](mailto:explorationassociates@outlook.com)



**From:** [Helen Picca](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-6  
**Date:** Tuesday, December 5, 2023 9:42:25 AM

---

For your meeting on Thursday, I wish to go on record in opposition to agenda items in Wailua:

1. That these leases and permits should NOT be granted to RP21; and
2. That if they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.

As a resident of Kauai, this beautiful garden island, I strongly oppose development of a resort in this area for environmental reasons.

Thank you for considering the wishes of the residents.

Helen Picca  
4775 Aliomanu Road  
Anahola Hawaii 96703

--

Helen Picca  
*The Last Frontier of the Fading West*  
*From the Hamster Wheel to Happiness in 10 Easy Steps*  
<https://www.facebook.com/HelenPiccaAuthor/>

**From:** [Wendy](#)  
**To:** [DLNR, BLNR Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-6  
**Date:** Wednesday, December 6, 2023 8:09:54 AM

---

Aloha ~

I STRONGLY oppose the use of the public lands at the Wailua River Mouth on Kaua'i for resort development.

My property and residence are behind that parcel, in Wailua Houselots, and I'm overly familiar with the entire fiasco that's been unfolding there for way too long.

The recent community hearing at the Wailua Houselots Park pavilion was a radical indicator of community sentiment regarding this project—the blatant disregard for our land and community by these developers on full display. I've rarely seen Kaua'i residents as angry and fed up as that night. (And I expect more resistance ahead, should these guys be granted permission, even though they've repeatedly blown off their end of agreements.)

We in Hawai'i intimately know our delicate island ecosystem. We all see the winter tides and storm effects on the shoreline. We're all aware of the O'ahu's North Shore erosion, and all know more of the same is inevitable everywhere... Why then would we even *consider* constructing a massive complex of buildings, parking lots, infrastructure, years of construction traffic/noise/inconvenience/obstruction practically on top of a thin strip of beach so stunningly vulnerable?

Aside from erosion, the force of the Hawai'i' biggest river, the Wailua, rushes down from the mountains and empties right there! Under whose expert guidance is this a good concept?

At face value alone, this project is illogical and tempts fate. But factoring in the Kaua'i track record of this company'—never in concert with community sentiment, agreements made, or environmental sensitivity—why on earth would we renew agreements with them?

And when construction's all done...we get thousands upon thousands of tourists, their cars, and their waste to churn across this once-sacred land, beach, and waters indefinitely—totally destroying the tranquil beauty of the Great Sacred Wailua.

Meanwhile, we have an established, conscientious, local organization ready and waiting to do something permanently harmonious and non-invasive on that same land. Can't we do something wonderful and beautiful for a change?

Personally, I'd rather see the Ghost of Coco Palms remain there to eternity than witness what these unconscious, uncaring, rule-breaking, greedy mainlanders want to do on that precious land.

But, whatever happens, I'll see it several times a day for the rest of my life because I live right there.

This is an opportunity to END a fiasco and I hope you seize it!

Wendy Raebeck

--



*Escapist Literature*

**NEW BOOK OUT NOW!!**

**THE WAY OF MAN - THE WAY**

VISIT [WendyRaebeck.com](http://WendyRaebeck.com) FOR INFO

**Order All Books/Read Reviews at Amazon:**

[https://www.amazon.com/s?](https://www.amazon.com/s?k=w+m+raebeck&i=stripbooks&crd=3ILZB658RH7U7&sprefix=w.+m.+r%2Cstripbooks%2C212&ref=nb_sb_ss_ts-)

[k=w+m+raebeck&i=stripbooks&crd=3ILZB658RH7U7&sprefix=w.+m.+r%2Cstripbooks%2C212&ref=nb\\_sb\\_ss\\_ts-  
doa-p\\_1\\_7](https://www.amazon.com/s?k=w+m+raebeck&i=stripbooks&crd=3ILZB658RH7U7&sprefix=w.+m.+r%2Cstripbooks%2C212&ref=nb_sb_ss_ts-)

**From:** [helen.raine](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-6  
**Date:** Tuesday, December 5, 2023 2:36:26 PM

---

Dear BLNR

I would like to register my strong opposition to the proposed granting of leases and permits to RP21. The area in question has great cultural and community value; public lands should not be used to facilitate a development which is strenuously opposed by local people on Kaua'i. In addition, this area is important ecologically. Several species of endangered Hawaiian wetland birds with extremely small global populations are known to use the area, particularly Hawaiian Common Gallinule – *Gallinula galeata sandvicensis*, world population ~1000. Kauai is one of only two islands supporting Hawaiian Common Gallinule and they remain vulnerable to extinction. With restoration, the ecological value of this area would increase and could benefit T&E birds, as well as Thirteen State of Hawaii Species of Greatest Conservation Need and up to 30 species of migratory waterfowl and shorebirds. A development here will have the opposite effect. Furthermore, there has been no environmental assessment in compliance with HRS343 undertaken, which is a major omission and risks harm to birds listed under the Endangered Species Act.

I would like to request that leases and permits not be granted to RP21.

Many thanks for your consideration

Helen Raine  
Kaua'i Resident and member of the Kaua'i Wildlife Coalition.  
<https://www.kauaiwildlife.org/>

**From:** [penny.prior](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-6  
**Date:** Wednesday, December 6, 2023 4:05:09 AM

---

- 1) The leases and permits should NOT be granted to RP21
- 2) If these permits are granted, the Board MUST require the recipients to do an environmental assessment in compliance with HRS 343

Further development of these wetlands degrades the environment and has a big impact on sea level rise in this high traffic area. It is also a tsunami zone. There is already some kind of sewage problem there. You can tell by the awful smell every time you drive by there. A 350 room hotel most likely would further impact sewage problems not to mention more traffic problems

It is also a Hawaiian cultural sight. This should be a big part of consideration. What are the owners going to do to contribute to this island. It sounds like they are not really understanding the aina here. What are their intentions?

Thank you for your attention to this matter

Penny Prior ( A resident for 34 years on Kaua'i)

**From:** [Haley La](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-6  
**Date:** Tuesday, December 5, 2023 11:55:14 AM

---

Hello-

To whom this may concern,

Please make the wise decision for the island of Kauai and native indenginous people remaining on the planet.

1. That these leases and permits should NOT be granted to RP21; and
2. That if they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.

There are native plants, animals and entire ecosystems at state and it's just not ok to go further with granting any leases.

Thank you kindly.

Haley

**From:** [Josie Bidgood](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Cc:** [Josie Bidgood](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-6  
**Date:** Tuesday, December 5, 2023 8:36:19 PM

---

Although I am not a resident of Kauai, I have had the privilege of visiting the island many times during my 50-year residency on Oahu.

I strongly oppose the requests that the developers are making, especially those affecting public lands.

The developers have demonstrated very little commitment to the community in all these years. Granting them the various exemptions they are seeking opens the door for additional asks by them and future developers on other islands. This is a troubling precedent for BLNR to set both for Kauai and for Maui as Lahaina rebuilds.

Please decline these requests.

Josie Bidgood  
Kahaluu HI

Sent from my iPhone



**From:** [Regina Floyd](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-6  
**Date:** Tuesday, December 5, 2023 10:30:46 AM

---

I am formally submitting my testimony regarding the above-mentioned agenda item: D-6

I have been a tax-paying resident of Kauai since 2015. I have lived in the Wailua area since 2016 and am very familiar with traffic issues, flooding, etc in the area.

I volunteer personal time every single week to address coastal debris from rain flooding, etc...specifically in the Wailua area down at Lydgate Park. Every time it rains, we are busy - this hasn't changed in the 8 years I've been here, and it won't get better.

I have personally been involved in the aftermath of flooding at Ho'omana Thrift Store - directly located across from Coco Palms on Kuamoo Rd. When the property of Ho'omana flooded, the Coco Palms garage was underwater. Flooding in this area has gone on for years, and hopefully, it will be a little better after the recent drains were added as Kuamoo was expanded a little at the Kuhio Hwy intersection.

I am **STRONGLY** opposed to the use of these public lands for resort development and remind BLNR that allowing the developers to use these public lands for the resort will have impacts on the community and the environment. **Your community, that you represent, is speaking and has spoken, and I feel you need to listen.**

The leases and permits should NOT be granted to RP21; and if they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343. We have STATE LAWS for a reason - to protect our island.

I am not Hawaiian. I am a transplant, but even I have come to know and understand and revere the cultural aspects of the area in which I live. The further development and hardening of these wetland ecosystems degrades the resilience and environmental services that this sensitive environment provides. The people of Kauai should be learning more about the rich history of the Wailua area and should be able to enjoy it. We have enough hotels.

As mentioned above, as a regular volunteer in beach clean-up efforts, I can attest to the fact that the development of these coastal lands will negatively impact our resiliency to sea level rise and climate impacts in the coming decades.

Most of us, having lived here for a few years, remember driving down Kuhio highway and watching the coastal erosion threaten the roadway, and bike path. The County had to spend \$\$\$ to make sure the road wasn't taken out. This was right across the street from the Coco Palms property. I believe we should be looking at ways to prevent this problem. It will happen again. Where do we put the road if Coco Palms is built should the need arise to veer inland because the road is gone?

Allowing the use of these State lands in conjunction with the planned resort commercial development will contribute directly to increased impacts on the shoreline, and nearshore water quality, and further degrade existing cultural, historical, and archeological elements. There is NO WAY to go back and retrieve historical and cultural things when gone and covered by a hotel. We must preserve it now and maintain it for future generations.

It is NO SECRET, that these lands are situated in environmentally sensitive areas with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean.

Any increase in traffic, pollution, etc. is going to have an enormous impact on EVERYONE living in the Wailua area. I travel Kuamoo road daily, and it's already difficult to turn into Wailua boat ramp, Ho'omana Thrift Store, and the other parking lots for River activities and this is without a functioning hotel.

I respectfully submit my testimony and opinion and ask that you say no. **The leases and permits should NOT be granted to RP21; and if they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343**

Mahalo for allowing me to submit testimony and for your careful consideration in this matter.

Regina L Floyd

--

Regina L Floyd  
Helping Local Business Grow  
Simple Online Business Development  
[SimpleOBD.com](http://SimpleOBD.com)

**Get Your Free Listing On Our  
Kauai Community Resource Directory**  
<https://hireachnow.com>

**Contact Info:**

702 292 2372 (mobile direct)

808 400 1460 (business)

skype: Regina.L.Floyd

[Facebook.com/ReginaLFloyd](https://www.facebook.com/ReginaLFloyd)

[Instagram.com/ReginaLFloyd](https://www.instagram.com/ReginaLFloyd)

[LinkedIn: ReginaLFloyd](https://www.linkedin.com/in/ReginaLFloyd)

**From:** [Haunani Seward](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-6  
**Date:** Tuesday, December 5, 2023 10:25:58 AM

---

Leases and permits should not be granted to RP 21 and if granted to anyone, the board must require the recipients to do an EA in compliance with HRS 343.

A pono option for the property would be to have the county purchase and restore the hotel for single occupants or small families. Occupants would have to maintain the property as part of their “rent.” They would also learn to manage and share the importance of this place with locals and visitors alike.

Let’s consider if we “need “ more hotel rooms adjacent to a busy highway with an eroding coastline or affordable rentals for local residents? I believe the answer is clear. Hope you do too.

Malama Pono

Sent from my iPhone

**From:** [Valerie Weiss](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony on Agenda Item D-6  
**Date:** Tuesday, December 5, 2023 11:30:25 AM

---

12/5/2023

Aloha

Once again I write to voice my strong opposition to the use of these public lands for resort development and remind the BLNR that allowing the developers to use these public lands for the resort will have impacts on the community and the environment. That these leases and permits should NOT be granted to RP21; and if they are granted to anyone, the Board MUST require the recipients to do an environmental assessment in compliance with HRS343.

**Very Concerning items related to the “Coco Palms” project on the agenda:**

- The The BLNR is considering issuing of Term, Non-Exclusive, Easements to the RP21 Coco Palms LLC Developers for two state parcels (TMK 4-1-003:044 and 4-1-005:017). These easements will assist these developers in their plans for a hotel on the corner in Wailua through the use of these public lands.
- The BLNR is also considering issuing these developers Revocable Permits (RPs) for and the sale of the Lease at public auction for the Kuamoo Rd corner state parcel (TMK 4-1-003:017).
- In addition to these two items the BLNR is also considering granting these developers “Immediate Right-of-Entry” for three state parcels to utilize public lands in the development of their 350 room hotel. (TMKs 4-1-003:044, 4-1-003:017 and 4- 1-005:017.

The problems are manifold but primarily Kauai has a traffic problem, it does not have a shortage of resorts.

We have an encroaching ocean and there should not be any hardening of the flood zone.

We cannot allow anymore commercialization, palm tree removal, or traffic

increases in this special area, which is historic and which is loved by those of us living nearby. This unneeded resort must be stopped and if the county has to purchase the property then we must do so.

Mahalo.

Valerie Weiss  
Wailua Homesteads

**From:** [S Diana Harvey](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony Regarding Coco Palms Property  
**Date:** Wednesday, December 6, 2023 8:03:56 AM

---

As a resident of Kauai and a concerned citizen I respectfully ask that you **NOT**

- (1) Issue Term Non-Exclusive Easements to RP21 Coco Palms LLC Developers for the following parcels: TMK4-1-003:044 and 4-1-005:17
- (2) Issue revocable permits for the sale of the Lease at public auction for parcel TMK 4-1-003:017
- (3) Grant RP21 Immediate Right of Entry to utilize public lands in the development of their 350 room hotel (TMKs 4-1-003:044, 4-1-003:017, 4-1-005:por.017)

for the following reasons:

- The further development and hardening of these wetland ecosystems degrades the resilience and environmental services that this sensitive environment provides.
- The development of these coastal lands will negatively impact our resiliency to sea level rise and climate impacts in the coming decades.
- Allowing the use of these State lands in conjunction with the planned resort commercial development will **contribute directly** to increased impacts on the shoreline, nearshore water quality, and further degrade existing cultural, historical, and archeological elements.
- These lands are situated in **environmentally sensitive areas** with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean.
- The building of a hotel at the corner of Kuamoo and Kuhio Highway will further impact the already difficult traffic situation in Kapaa.
- The building of another hotel on this island will further impact the housing crisis on the island.

S. Diana Harvey



**From:** [James Trujillo](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Cc:** [James Trujillo](#)  
**Subject:** [EXTERNAL] Testimony Related to CoCoPalms  
**Date:** Wednesday, December 6, 2023 8:33:59 AM

---

Aloha Members of the Board,

Please accept this testimony in opposition to issuing permits for easements to RP21 (Coco Palms LLC Development).

I am a resident of Kaua'i and live in the Kawaihau district. This project is unnecessary and unwanted by the majority of residents of this island. The location is a congested area of roads, commercial ventures and recreational opportunities. Adding more traffic to the area is of great concern but even greater is the cultural significance and environmental benefits generated by the property and surrounding areas.

The cultural significance of the areas surrounding the project can not be understated.

Additionally, the environmental benefits of the wetlands adjacent and included in the project will be negatively impacted by the proposed project. Harm to the a'ina and the degradation of the historical and cultural treasures of the area must not be permitted by your agency.

Mahalo for considering this testimony in opposition to the granting of lease for easements to state owned land. Please consider HRS343 in your final deliberations and listen to the voice of the people who live in the area and those whose ancestors were of this land and still hold claim to their kuleana.

With respect and aloha,

James G Trujillo  
PO Box 33  
Kapa'a, HI  
96746



**From:** [Aaron Pacini](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony Supporting the Restoration of Coco Palms  
**Date:** Wednesday, December 6, 2023 8:31:55 AM

---

Aloha, Chair Chang and the other members of the BLNR.

My name is Aaron Pacini and I write to you in strong support of the restoration of Coco Palms and conveying the lands at issue to RP21 Coco Palms.

Since 1962, these lands have been assigned to the owners of the Coco Palms Resort. After Hurricane Iniki, the resort was left destroyed. For 30 years, Kauai Planning, County Council, Mayors, Planning Commissions, and prior BLNR members have consistently supported the resort's restoration. In fact, the County Planning Commission and Planning Director noted last month that the restoration project is properly permitted and approved to move forward.

While the resort has been plagued with decades of failure by prior owners, that has changed with PR21 and the Reef Capital ownership group. This new ownership group has invested significant resources to not only correct prior missteps but to invest into a fitting renovation of this historic property.

Accordingly, these lands should continue their historic use. In doing so, Coco Palms will provide public parking and public restrooms, and open the property to the public for the first time in decades. These are benefits that are sorely needed by the community. By supporting the Coco Palms restoration, the BLNR will also help address the continued blight of homelessness and crime, reverse decades of degradation, promote construction and full-time job growth, generate over \$300 million in direct economic activity for Kauai, and promote and celebrate the local culture through a Io'i kalo managed by lineal descendants with a cultural advisory group comprised of Kauai Native Hawaiian leaders.

Consequently, the decision before BLNR is not whether to approve the restoration of Coco Palms, which was made years ago by the County. Rather, BLNR now has the opportunity to approve Coco Palms to utilize these lands for the benefit of the community.

For these reasons, I strongly urge the BLNR to approve the recommendations in the staff report for disposition of these parcels to RP21 Coco Palms.  
Sincerely,

Aaron Pacini

**From:** [Mystery Mammal](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Testimony: Opposition to agenda item Land Division #6  
**Date:** Tuesday, December 5, 2023 6:17:03 PM  
**Attachments:** [image.png](#)

---

Re: CocoPalms – 6. Issuance of Term, Non-Exclusive Easements to RP21 Coco Palms LLC, Wailua, Kawaihau, Kauai, Tax Map Keys: (4) 4-1-003:044 and (4) 4-1-005:por. 017; Issuance of Revocable Permit to RP21 Coco Palms LLC and Sale of Lease at Public Auction for Parking and Landscaping Purposes, Wailua, Kawaihau, Kauai, Tax Map Key: (4) 4-1-003:017; and Immediate Right-of-Entry for Management Purposes to RP21 Coco Palms LLC, Wailua, Kawaihau, Kauai, Tax Map Keys: (4) 4-1-003:044, (4) 4-1-003:017 and (4) 4-1-005:por.017.

Aloha Chair and Board Members,

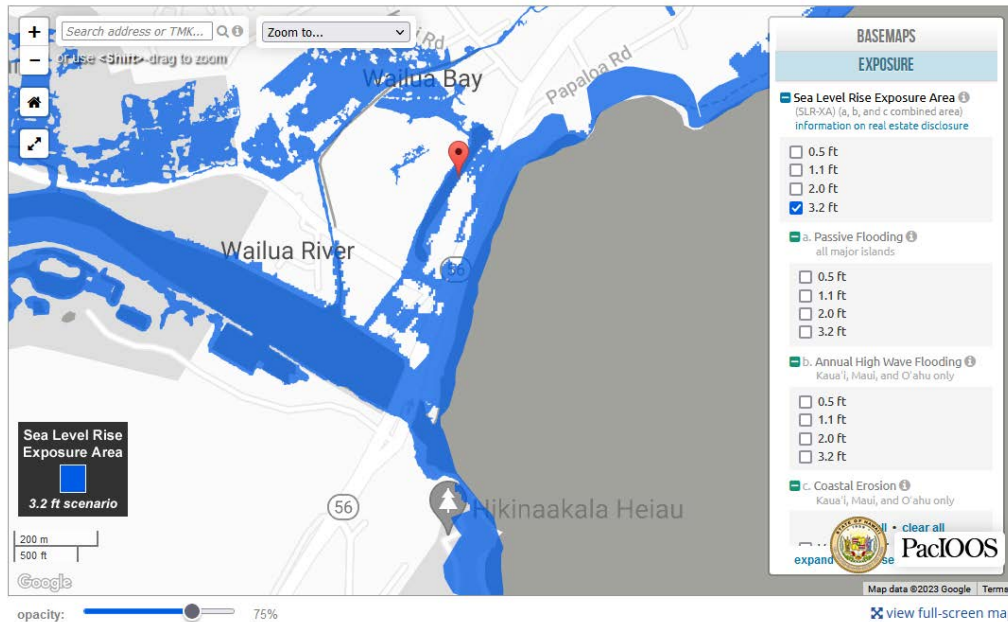
I am offering this testimony today as a resident of Wailua Houselots on Kaua'i, a mother with children raised in this ahupua'a of Wailua, and the former Chairperson of the State of Hawaii's Legacy Land Conservation Commission.

**My testimony is in opposition.**

Parts of the Coco Palms site exist within the Sea Level Rise Exposure Area (SLR-XA) as appears in the State of Hawaii's Sea Level Rise Viewer (pictured below). Link: <https://www.pacioos.hawaii.edu/shoreline/slr-hawaii/>

### Sea Level Rise : State of Hawai'i Sea Level Rise Viewer

An Interactive Mapping Tool in Support of the State of Hawai'i Sea Level Rise Vulnerability and Adaptation Report



Passive flooding and annual high wave flooding are projected to impact the site. I think "managed retreat" from the site should be under consideration.

I encourage interested parties to read the State's Final Report, *Assessing the Feasibility and Implications of Managed Retreat Strategies for Vulnerable Coastal Areas in Hawai'i* (2019). This excerpt stands out:

"Coastal wetlands, dunes, and parkland can serve as a natural buffer zone to mitigate the impacts of natural hazards to inland development (Herrington, 2001). As hazardous zones have been increasingly developed across the U.S., these buffer zones have been lost in some areas. However, in some cases, managed retreat has provided the opportunity to create public open space along the coast while providing the co-benefit of restoring coastal ecosystems and providing a natural buffer to coastal hazards."

Sincerely,  
Theresa Cabrera Menard  
Kapa`a, Hawai`i

**From:** [Stefanie Stauber](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] The coco palm catastrophe  
**Date:** Wednesday, December 6, 2023 7:29:55 AM

---

It is an egregious misuse of public power and trust to allow the developers that intend to rebuild coco palms to have access and control over more public land. As a life long resident and avid voter I protest against lease RP21 being granted. Also, if you did intend to do such a wildly unpopular thing, I insist on a full environmental impact survey as you already legally have to do. AUWE! It is a shame and an abuse of your stations to attempt to circumnavigate the public trust in such a matter!

Yours,  
Stefanie Stauber Craig

**From:** [Sierra Smith](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Wailua State Land for Hotel Use  
**Date:** Tuesday, December 5, 2023 8:44:17 PM

---

Hello BLNR,

I strongly oppose the use of the Wailua State Land for the Coco Palms hotel, or any hotel use. There are many environmental and cultural concerns regarding this parcel of land. There needs to be an environmental assessment in compliance with HRS343, more concern for the wetland ecosystem, forethought about how this hotel will impact community traffic patterns, and more concern for the historic cultural land practices.

I hope the committee will take these points into consideration.

Sierra Smith  
Wailua, HI 96746

**From:** [Dawna White](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] Wailuanuiaho`ano (Coco Palms)  
**Date:** Tuesday, December 5, 2023 9:07:47 PM

---

Re: Wailuanuiaho`ano (Coco Palms)

Aloha Board Members,

I'm writing to urge you NOT to grant leases and permits for RP21 for resort purposes. You have been mandated with the responsibility to "enhance, protect, conserve and manage Hawaii's unique and limited natural, cultural and historic resources held in public trust for current and future generations..." per the Department of Land and Natural Resources' own Mission Statement. The people of Kaua`i are counting on you to honor your commitment to these ideals by keeping our natural and cultural treasure in a condition that we can all enjoy and appreciate, now and in the future, and not kowtow to outside investors.

I'm sure you'll receive many testimonies from those more knowledgeable than I about how Wailuanuiaho`ano was the site of ancient heiau, the birthing place for Kauaian royalty, and the site of astronomical tracking of the rising heavens.

Also, because of the property's unique position by the Wailua River and ocean, you'll hear how further development of this wetland ecosystem would degrade the resilience of this sensitive environment.

But I'd like to point out the blatant lies that the prospective developers have spread about the "benefits" of their proposal. They say that they'll provide jobs. Untrue. Kaua'i can't fill current job vacancies, especially in hotels and restaurants, most of which are running short-staffed or for reduced hours. The main reason jobs remain unfilled is a lack of housing, so even if the developers say they could bring in people from outside, there is no place for them to live.

The consequences for Kaua`i residents would be entirely negative. A hotel development would desecrate the history of this unique natural and historic area if you allow this development to proceed. Is the legend of Elvis staying at Coco Palms more vital to you than the cultural heritage of native Hawaiians and the precious natural resource of this extraordinary piece of land? I implore you to put the history, natural resources, and people of Kaua`i above the short-term gain of those who don't care about the long-term preservation of Kaua`i.

Mahalo, Dawna J. White

**From:** [Laurie And James](#)  
**To:** [DLNR.BLNR.Testimony](#)  
**Subject:** [EXTERNAL] We Strongly Oppose Land Agenda Item D-6 12-7-23  
**Date:** Tuesday, December 5, 2023 10:13:47 PM

---

Aloha Chairperson Dawn Chang and Commissioners,  
Mahalo for taking the time to read our concerns on Wailuanui/Coco Palms.

"We Strongly Oppose Land Agenda Item D-6 12-7-23"

We are practically begging, now, that you all do your due diligence and be very concern about granting "Any" permits in, and around this main corridor of our Island.

The traffic in this area is so congested right now as it is, the added lane is no help at all, being that it just bottle neck little ways at Smith's Fern Grotto tours. Just an example, we had a Christmas Parade this past Friday, in Lihue, the traffic was backed up all the way to Kapa'a town. It usually takes 20 minutes.

Then, there's the ailing of the wastewater treatment plant, right there in the corner of Kuhio hwy. and Hale I'lio road, the smell is gagging as you drive past. The Shell Gas Station across the street, inside, smells like it's backed up all the time, this is a Board of Health matter too, that somebody should look into, it's horrible. It's hard enough time to find and maintain workers, being inside of there for 4 hrs, is a health hazard. The overflow of the sewage plant cannot accommodate any more building of anything, the runoff or the "oops" we know that just might happen, it's a matter of when, we cannot have that like Red Hill, our resources here would be astronomically a disaster.

We believe that I Ola Wailua Nui's application filed under community non-profit Corporation, should rightfully have the permits to preserve the Coco Palms site as a park and historic Cultural Center as it pertains to the State Lease and RP lands, CROWN LANDS, For the People.

We cannot bring back the nostalgia about the Guslander days and famous people that stayed there, but we can keep the memories alive by putting pictures up and playing the music about the good ole days, in a Cultural Center.

Furthermore, we need to think about the increased impact on the shoreline, near shore water quality, sea level rise like the king tides, and climate impacts which will further degrade existing cultural, historical and archeological elements in the coming decades. There are known habitats for rare native birds, ancient fish ponds and waterways that connect to and ultimately drain into the Wailua river and nearby ocean, if any construction should continue. We need to malama the area and bring it back to its glory that it once was, before development.

Since 2017 the people of Kaua'i has been dealing with these developers, none of them live here. It's a wham bam, thank you ma'am kind of deal.

Please revoke all permits to RP21 Coco Palms LLC Developers, and all Developers connected to these LLC's.

It's just disheartening to have to write in...again, and state my purpose of writing, if not BLNR to help our people... then who?

We cannot have a 350 room hotel be built in this area, we just cannot.

Mahalo for your time.

"Ua Mau Kea Ea o ka Aina i ka Pono "  
"Ola I ka Wai"

Sincerely,  
Laurie Avilla and Ohana

P.s. Why is this in-person testimony meeting being held on Oahu?

Faith Lehuanani Blalock  
**Testimony in STRONG OPPOSITION to BLNR Issuing Any RP21 to Coco Palms  
LLC Developers**

12/05/23

Dear Board of Land and Natural Resources,

My name is Faith Lehuanani Blalock. I am a Native Hawaiian, born and raised in Kapa‘a Kaua‘i, currently living in Kīlauea Kaua‘i. With a background in environmental engineering, I work as a Biocultural Resource Manager at Waipā Foundation, a North Shore organization dedicated to restoring the vibrant natural systems of Waipā Valley, and to inspiring healthy, thriving communities connected to their resources. I am also a member of the Hanalei Hawaiian Civic Club.

From the first time I heard of the development in the Coco Palms area to all the information that has been shared on the project up til now, I have been against this project. The development plans and actions of the current developers have reflected they do not hold the vision or values to ensure this sacred, historical place is cared for. There is not only strong and valid opposition from community members like those a part of I Ola Wailuanui, but there is a better vision for the Coco Palms area that would ensure resurgence of culture, regeneration of wai, and build resiliency of the Wailua ahupua‘a and threatened coastline.

The Wailua area is very sacred and due its history of development and in the face of climate change, extensive restoration and regenerative actions are needed for this wahi pana. A RP21 should NOT be granted to any group whose work is not exclusively dedicated to community and cultural based restoration of this place, especially NOT to any resort developers. Furthermore, if anyone were to receive a revocable permit, in compliance with HRS343, an environmental assessment must be completed, which Coco Palms LLC Developers lack.

I know I am one of many from the community, strongly urging the board to **not grant any revocable permits to Coco Palms LLC developers**. We need to start thinking generationally and invest in regenerative futures, I ask that you be a part of this call and oppose the resort development in Wailua.

Mahalo for your time and consideration,

Faith Blalock

[fbalock0808@gmail.com](mailto:fbalock0808@gmail.com)



Hawaii Department of Land and Natural Resources  
1151 Punchbowl Street Room 220  
Honolulu, Hawaii, 96813

RE; Land Agenda Item D-6 12-7-23

Aloha Chair Chang and Board Members,

Responding on short notice of the testimony deadline, Kaua'i Group of Hawaii Chapter of Sierra Club resolutely opposes granting RP's # 7407, 7444 and 7613, and continuation of a lease GL4876 to the newest claimant of the right to use these State Land properties, RP21CP.

You are receiving advice from your staff, who in turn are relying on a April 14, 2023 report provided by the Kauai Land Division Office (KDLO). This report relies heavily on communications with a series of RP21CP attorneys., as that entity has gone through a series of legal manouvers to bolster its claim to ownership.

When KDLO asked RP21CP attorney McDonnell what they would do if the Board cancelled the three Coco Palms adjacent leases, "McDonnell said if the Board were to cancel the RP's, the developer would sue the State since the cancellation of the Coco Palms RPs may affect developers permit and the developer would suffer monetarily."

May we all agree that this Utah developer invested in a Kaua'i east shore property with a complicated history at its own risk, and the State is not liable to any monetary fallout resulting from its actions.

The KDLO report says that the coconut grove lease site GL4876. set to expire in 2048, cannot be terminated by the Board. But Chair Chang said the opposite when appearing before the Kauai County Council, citing RP21CP's grubbing and cutting down healthy coconut trees in the coconut grove, which is designated conservation land, without permission from the State.

We urge the Board to not abuse itself of the idea that granting the RPs and the lease to this developer, in effect privatizing them, will unburden the BLNR of a 35 year long Coco Palms headache. They will be back, asking for more until their Disney World-like aspirations are met. For example, they have no permitted access road from Kuamo'o Road to their planned parking lot to serve their planned wedding venue, neither of which are approved, either. The parking lot happens to be in the same place where a few people were staying in tents (the "homeless hotspot" referenced in the KDLO report.) Which use renders the most benefit to the community? The most harm? And aren't there better alternative uses to strive for?

The KDLO report concludes that awarding the permits and leases to RP21CP is "the most prudent action at this time." We contend it is a parochial opinion piece only, ignoring ongoing legal challenges, stressed resources and infrastructure, a wetland with endangered nesting birds, climate change challenges, all triggering a EIS which has never been prepared for this location, a needed SMA approval and current traffic study, a profound cultural heritage owed protection, and overwhelming public opposition to another hotel.

We urge the BLNR to uphold its constitutional responsibility to protect public lands and to not grant revokable permits or a lease at this time.

With regards,  
Kip Goodwin



## HAWAII LABORERS-EMPLOYERS COOPERATION AND EDUCATION TRUST

650 Iwilei Road, Suite 285 · Honolulu, HI 96817 · Phone: 808-845-3238 · Fax: 808-845-8300

December 5, 2023

Via Email: [blnr.testimony@hawaii.gov](mailto:blnr.testimony@hawaii.gov)

To: **The Honorable Dawn Chang, Madam Chair**  
**Board of Land and Natural Resources**  
1151 Punchbowl Street, Room 132  
Honolulu, Hawaii 96813

Re: **SUPPORT for Disposition of Lands for RP21, Coco Palms, Land Div. Agenda Item D(6)**

FOR HEARING ON DECEMBER 7 AND 8, 2023 at 9:00 AM (KALANIMOKU BUILDING)

**Aloha Honorable Madam Chair Chang and Members of the Board,**

The **Hawaii Laborers & Employers Cooperation and Education Trust** (Hawaii LECET) is a labor + management partnership established in 1992 between the 5,000 statewide members of the Hawaii Laborers Union and over 250 construction companies from the *General Contractors Association* and the *Building Industry Association*.

**Hawaii LECET supports the restoration of Coco Palms Resort, and disposition of lands for RP21.**

The lands associated with these Revocable Permits have been assigned to Coco Palms owners for 70 years. These same lands are also listed with the Coco Palms Resort Historic District on both State and National historic registers. It is important for these lands to continue to be assigned to Coco Palms owners, to preserve the historic uses recognized by State and Federal governments.

Coco Palms will fund benefits sought by the community, including public parking and public restrooms. The restoration will help to support cultural activities such as a lo'i kalo managed by lineal descendants, a cultural advisory group comprised of Kauai Native Hawaiian leaders, and a cultural center and museum required by the county as part of the project's community benefits.

Last month both the Kauai County Planning Commission and the Kauai County Planning Director affirmed the restoration project is properly permitted and approved to move forward. The decision before BLNR is not whether to approve the restoration of Coco Palms, which was made years ago by the County. BLNR now has the opportunity to utilize these lands for the benefit of the community, by approving the recommendations in the staff report for disposition of these parcels.

Mahalo,

**Hawai'i Laborers & Employers  
Cooperation and Education Trust**



December 5th, 2023

Aloha Honorable Board of Land and Natural Resources,

Hawai'i Alliance for Progressive Action (HAPA) strongly opposes the use of state parcels in Wailua to facilitate and support resort development.

We oppose the issuance of Term, Non-Exclusive, Easements to the RP21 Coco Palms LLC Developers for two state parcels. These easements will assist these developers in their plans for a hotel on the corner in Wailua through the use of these public lands. We also oppose issuing these developers Revocable Permits (RPs) for and the sale of the Lease at public auction for the Kuamoo Rd corner state parcel. In addition to these two items, we oppose granting these developers "Immediate Right-of-Entry" for three state parcels to utilize public lands in the development of their 350-room hotel.

Allowing the developers to use these public lands for the resort will have impacts on the community and the environment. HAPA does not support these leases and permits being issued to RP21 Coco Palms LLC and humbly asks the Board of Land and Natural Resources to please require any use of these parcels to require environmental assessment and compliance with HRS 343.

Allowing the use of these State lands in conjunction with the planned resort commercial development will directly contribute to increased impacts on the shoreline, nearshore water quality, and further degrade existing cultural, historical, and archeological elements.

These lands are situated in environmentally sensitive areas with unquestionable historical and cultural significance. They are located in a coastal tsunami zone, clearly impacted by issues relating to sea level rise, adjacent to wetland areas, currently and historically impacted by frequent flooding, known habitats for rare native birds, and include ancient fishponds and waterways that connect to and ultimately drain into the Wailua River and nearby ocean.

The further development and hardening of these wetland ecosystems degrade the resilience and environmental services that this sensitive environment provides. The development of these coastal lands will negatively impact our resiliency to sea level rise and climate impacts in the coming decades.

HAPA was founded on Kaua'i and grew out of the effort of Kaua'i residents who prioritize food production, sustainability and community-based resource management. HAPA's mission includes catalyzing community empowerment and systemic change towards valuing people and 'āina. As a part of this mission, we are committed to the expansion of local food production and the restoration



of traditional food ways, including the restoration of native ecosystems and fishponds such as Weuweu and Kawaiiki royal fishponds.

Establishing fair and sustainable food systems that honor and revitalize native Hawaiian culture practices is HAPA's founding pillar. We also work directly on issues around community-based stewardship. We have seen the success of many projects across Hawai'i when community members with a deep connection to the place are able to increase capacity for caring for local resources. The restoration and protection of this area, its cultural features and fishpond system and the work of I Ola Waiuanui to restore this traditional native food infrastructure will provide multiple "wins" for the community - growing our local food security; revitalizing native Hawaiian cultural practices and supporting community stewardship over this important site.

For years now I Ola Waiuanui has been advocating for an alternative future for this site and advocating, educating, and leading community efforts to value and restore the cultural features of this area rather than allow the development of another resort in this highly inappropriate area.

We support their efforts to re-establish the loko i'a and native wetland ecosystems through an environmental stewardship program honoring Hawaiian values.

The Board should interrogate its staff's recommendation against allowing I Ola Waiuanui to care for these lands because that recommendation is baseless. I Ola Waiuanui has provided the Board with the option of disposing of these lands in a way that is truly in the State's interests. I Ola Waiuanui not only promised to maintain these parcels in compliance with all laws, they will do so in a way that is culturally appropriate and sensitive to community uses.

In addition to growing our sustainable food systems on Kaua'i, protecting this area from resort development provides various additional community benefits: supporting a healthy watershed, river and native wetland ecosystem and preserving a beloved cultural and historic site as well as an outdoor classroom. In addition, a resort in this area works against the very fundamental changes we are making toward better management of tourism in Hawai'i, in a manner that is less extractive on our community and resources. The facilitation of the development of a hotel, with the use of our State public lands will exceed the capacity of our already stretched infrastructure.

As a site of great cultural and historical significance, Waiuanuiaho'āno provides a priceless asset to our community and is in essence the piko of Kaua'i. This is one of our island's most significant cultural sites and resources and its preservation is crucial.



Please do not hand over our public lands for resort development and instead stand with the community in supporting an alternative and better use for these lands.

Mahalo,

Anne Frederick  
Executive Director, Hawai'i Alliance for Progressive Action  
[anne@hapahi.org](mailto:anne@hapahi.org)



HUI HO'OMALU I KA 'AINA  
ADVOCATES FOR NATIVE KNOWLEDGE

December 5, 2023  
Hawaii Board of Land and Natural Resources  
Testimony Item: D-6  
Non-exclusive easements to RP21 Coco Palms LLC

Aloha members,

Hui Ho'omalulu i ka Aina is a party to legal proceedings regarding the native sea and water birds of Hawaii representing cultural practitioners. The location of this proposed easement is known habitat for native waterbirds and critical to their survival in this area.

Any permit for any use in this area must require a **full and complete EIS**, including a Ka Paakai analysis to determine any and all uses that would not harm these protected species.

**No easements should be granted without conducting a pono process.**

Mahalo for considering our testimony in the context we offer it, the traditional and cultural practitioners of Hawaii.

Me ka pono,

Makaala Kaaumoana  
Vice Chair

Hui Ho'omalulu i ka 'Aina is a taro root organization founded in the early 1980's by traditional practitioners of moku Halele'a to address threats and impacts to the natural and cultural resources of Kaua'i. Founded by farmers and fishermen, weavers and hunters, we seek to provide context for issues related to the ecology of our ahupua'a. The organization is an active advocate for those native things and ways that are disappearing. We are not a nonprofit, we are an activist organization. We do not whine and wait, we act.

## **Keith M. Kiuchi, A Law Corporation**

---

1001 Bishop Street, ASB Tower, Suite 985 | Honolulu, HI 96813 | Tel.: (808) 533-2230 |  
FAX: (808) 533-4391

**VIA E-Mail – [blnr.testimony@hawaii.gov](mailto:blnr.testimony@hawaii.gov)**

December 6, 2023

Board of Land and Natural Resources  
P.O. Box 621  
Honolulu, Hawai'i 96809

**Re: Agenda Item D-6; Agenda of December 7, 2023**  
**TMK: (4) 4-1-003-044; TMK: (4) 4-1-003-017; TMK: (4) 4-1-005-017**  
**TMK: (4) 4-1-003-005**

Dear Board:

I represent Paul Honkavaara dba Chartered Financial Group. Mr. Honkavaara holds an Exemplified Foreign Judgment against Coco Palms Hui, LLC. A copy of that Exemplified Foreign Judgment is attached. BLNR had issued a revocable permit for the above parcels, with the permit being originally issued to Coco Palms Ventures LLC. In 2018, BLNR approved the transfer of the revocable permit to Coco Palms Hui, LLC. Unfortunately, the principals of Coco Palms Hui, LLC never followed through to insure that the revocable permit was transferred to them. As you may know, the property on Kuhio Highway, which was owned by Coco Palms Hui, LLC, has been foreclosed upon by a court order filed on June 17, 2020. That foreclosure however, was restricted to real property and did not include the revocable permits, nor did it include the permits and entitlements to the real property. And, as noted below, Mr. Honkavaara has appealed that court decision. I had previously written to the Chair on July 26, 2023, stating essentially what is in this letter. After I sent that letter I received a phone call from a Deputy Attorney General, to whom I explained Mr. Honkavaara's position.

On the agenda for tomorrow is a proposal to issue term, non-exclusive easements to RP21 Coco Palms LLC for TMK numbers: (4) 4-1-003:044 and (4) 4-1-005:por. 017, and a revocable permit and sale of lease at public auction for TMK (4) 4-1-003:017. This letter is to make the Board aware that on Dec. 21, 2022, my client recorded a Notice of Pending Appeal, which is also attached. Mr. Honkavaara's pending appeal before the Hawaii Intermediate Court of Appeals ("ICA") seeks to vacate the court order filed on June 17, 2020. The primary purpose of this letter is to make BLNR aware of my client's judgment and his pending appeal. Because of the judgment and pending appeal, we ask that BNLR not issue any revocable permit to any property relating to the above properties, including but not limited to RP 21 Coco Palms, LLC, until my client's pending appeal being fully resolved in the Courts, including any subsequent appeals to the Hawaii Supreme Court, on remand to the Circuit Court that handled the prior foreclosure that is being appealed, and any subsequent appeals afterwards.

Page 2  
Letter to BLNR  
December 6, 2023

Because of a conflict in my schedule I will not be able to attend tomorrow's Board meeting and submit this letter instead.

Sincerely,

A handwritten signature in black ink that reads "Keith M. Kiuchi". The signature is written in a cursive style with a large, looped "K" at the beginning and a period at the end.

Keith M. Kiuchi

Encl.



J



STATE OF HAWAII  
BUREAU OF CONVEYANCES  
RECORDED

November 15, 2017 10:45 AM

Doc No(s) A-65280627



1 1/1 TAW  
B-33080926

/s/ LESLIE T. KOBATA  
REGISTRAR

LAND COURT

REGULAR SYSTEM

AFTER RECORDATION, RETURN BY MAIL ( ) PICK-UP (X)

KEITH M. KIUCHI, ALC  
Keith M. Kiuchi, Esq.  
1001 Bishop Street, Suite 985  
Honolulu, HI 96813  
Tel No. (808) 533-2230 Fax. No. 533-4391

TITLE OF DOCUMENT:

EXEMPLIFIED FOREIGN JUDGMENT; DECLARATION OF KEITH M.  
KIUCHI; EXHIBITS "1" - "2"; AND CERTIFICATE OF SERVICE

PARTIES TO DOCUMENT:

PAUL M. HONKAVAARA dba CHARTERED FINANCIAL GROUP, Petitioner

vs.

COCO PALMS HUI LLC, a Delaware limited liability company; Respondent

COCO PALMS HUI LLC: General-Excise Tax No: GE-048-828-6208-01

KEITH M. KIUCHI, ALC  
KEITH M. KIUCHI #2735  
ASB Tower  
1001 Bishop Street, Suite 985  
Honolulu, Hawaii 96813  
Tel. No. 533-2230  
Fax. No. 533-4391

FIRST CIRCUIT COURT  
STATE OF HAWAII  
FILED

2017 NOV -3 PM 3:41

F. OTAKE  
CLERK

Attorney for Petitioner

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

PAUL M. HONKAVAARA dba  
CHARTERED FINANCIAL GROUP,

Petitioner,

vs.

COCO PALMS HUI LLC, a Delaware limited  
liability company;

Respondent.


S.P. NO. 17-1-0360 BIA  
(Other Civil Action)

EXEMPLIFIED FOREIGN JUDGMENT;  
DECLARATION OF KEITH M. KIUCHI;  
EXHIBITS "1" - "2"; and CERTIFICATE  
OF SERVICE

**EXEMPLIFIED FOREIGN JUDGMENT**

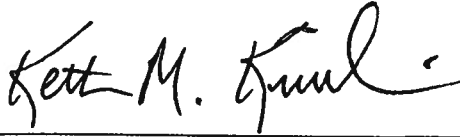
COMES NOW PETITIONER PAUL M. HONKAVAARA dba CHARTERED FINANCIAL GROUP, by and through his attorney, KEITH M. KIUCHI, and hereby files with Circuit Court of the First Circuit, State of Hawaii, a request for an Exemplification of a Foreign Judgment that is dated October 26, 2017 and is entered in the Fresno County Superior Court, for the State of California, in favor of Petitioner PAUL M. HONKAGAARA dba CHARTERED FINANCIAL GROUP, as against Respondent COCO PALMS HUI, LLC, a Delaware limited liability company.

I do hereby certify that this is a full, true, and correct copy of the original on file in this office.

  
Clerk, Circuit Court, First Circuit

The Certificate of Exemplification signed by the Deputy Clerk of the Superior Court for Fresno County is dated October 26, 2017 and the Certificate of Exemplification signed by the Clerk of the Superior Court for Fresno County is dated October 30, 2017, and the Judgment is dated October 26, 2017, and both Certificates of Exemplification and the Judgment are attached hereto and identified as Exhibit "1".

DATED: Honolulu, Hawaii, November 3, 2017.

A handwritten signature in black ink, appearing to read "Keith M. Kiuchi". The signature is written in a cursive style with a horizontal line underneath it.

KEITH M. KIUCHI  
Attorney for Petitioner

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

PAUL M. HONKAVAARA dba  
CHARTERED FINANCIAL GROUP,

Petitioner,

vs.

COCO PALMS HUI LLC, a Delaware limited  
liability company;

Respondent.

S.P. NO. 17-1-0360 BIA  
(Other Civil Action)

DECLARATION OF KEITH M. KIUCHI

**DECLARATION OF KEITH M. KIUCHI**

KEITH M. KIUCHI, declares and says:

1. That Declarant is an attorney licensed to practice law in the court of the State of Hawaii and that he is the attorney representing Petitioner in the above entitled matter in the State of Hawaii.

2. That attached hereto as Exhibit "1" is a true and correct copy of: (a) a Certificate of Exemplification signed by the Deputy Clerk of the Superior Court for Fresno County dated October 26, 2017, (b) a Certificate of Exemplification signed by the Clerk of the Superior Court for Fresno County dated October 30, 2017, and (c) the Judgment in favor of Petitioner Paul M. Honkavaara dba Chartered Financial Group as against Respondent Coco Palms Hui, LLC, dated October 26, 2017, filed in the Superior Court for the Fresno County Superior Court, State of California, having been signed by Kimberly Gaab, Presiding Judge of the Superior Court of California, Fresno County, granting Judgment in favor of Petitioner Paul

M. Honkavaara dba Chartered Financial Group as against Coco Palms Hui, LLC, in the following amounts:

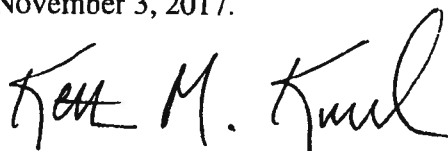
Damages	\$444,620.00
Prejudgment Interest	\$ 65,533.78
Attorney Fees	\$ 11,139.50
Costs	\$ 585.56
TOTAL	\$521,878.84

3. The principal on said judgment shall bear interest at a rate of 10% per annum.
4. That attached hereto as Exhibit "2" is a true and correct copy of the information on file for Respondent Coco Palms Hui LLC with the Dept. of Commerce and Consumer Affairs, which shows that
5. That the name and current address of the Petitioner, Judgment creditor, is:  
  
Paul M. Honkavaara dba Chartered Financial  
c/o Steven R. Stoker, Esq.  
Pascuzzi, Pascuzzi & Stoker  
2377 W. Shaw Avenue, Suite 101  
Fresno, CA 93711
6. That upon information and belief and the information set forth in Exhibit 2, the name and current address of the Respondent Coco Palms Hui LLC, which is the Judgment debtor, is:  
  
Coco Palms Hui LLC  
1050 Bishop St. Suite 303  
Honolulu, HI 96813
7. That upon information and belief and the information set forth in Exhibit 2, the name and current address of the registered agent in the State of Hawaii for Respondent Coco Palms Hui LLC, which is the Judgment debtor, is:

KK1&2 LLC  
1050 Bishop St. Suite 303  
Honolulu, HI 96813

That I declare under the penalty of perjury under the laws of the United States of America that the foregoing are true and correct.

DATED: Honolulu, Hawaii, November 3, 2017.

A handwritten signature in black ink, appearing to read "Keith M. Kiuchi". The signature is written in a cursive style with a large, looped "K" at the beginning and a long, sweeping tail.

---

KEITH M. KIUCHI

EXHIBIT "1"

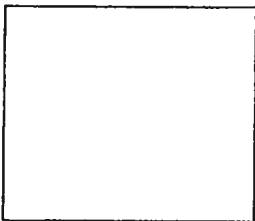
CASE TITLE <b>Paul M. Honkavaara dba Chartered Financial Group vs. Coco Palms Hul, LLC</b>	CASE NUMBER: <b>17CECG02343</b>
---	------------------------------------

STATE OF CALIFORNIA,  
County of Fresno

I, Edith Bidegain, Deputy Clerk of the Superior Court of California, County of Fresno, which is a court of record having by law a clerk and a seal, do hereby certify that I have compared the following copies, and each of them, respectively, with the original:

in Case No. **17CECG02343** of said Superior Court, entitled: Judgment

as the said originals now remain on file and of record in my office and that said copies are, and each of them respectively is, a full, true and correct copy of such originals and of the whole thereof.



Witness, Deputy Clerk of the Superior Court, with the seal of the Court affixed.  
Date: 10/26/2017

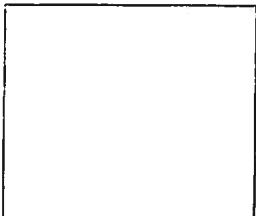
*Edith Bidegain*  
\_\_\_\_\_  
(Deputy Clerk of the Superior Court)

I, Kimberly Gaab, Presiding Judge of the Superior Court of California, County of Fresno, do hereby certify that said Court is a court of record and that Edith Bidegain, whose signature is affixed above is a Deputy Clerk of said Superior Court; that said certificate is attested in due form according to the laws of the State of California; that the aforesaid signature of said Deputy Clerk is genuine; that said Deputy Clerk is a proper officer to execute the said certificate and attestation, and the seal thereto affixed is the seal of said Superior Court.

Witness, my hand at Fresno, California  
Date: 10-30-17

*Kimberly Gaab*  
\_\_\_\_\_  
Acaab (Presiding Judge of the Superior Court of California, County of Fresno)

I, Sheran Morton, Clerk of the Superior Court of California, County of Fresno, do hereby certify that said Court is a court of record and having by law a clerk and a seal, do hereby certify that Kimberly Gaab, Presiding Judge, whose name is subscribed in the foregoing certificate, is a Judge of the Superior Court of California, County of Fresno, duly elected, sworn and qualified and that the signature of said Judge to said certificate is genuine.



Witness, Clerk of the Superior Court, with the seal of the Court affixed.  
Date: 10/30/2017

*Sheran Morton*  
\_\_\_\_\_  
(Clerk of the Superior Court)



PLAINTIFF: Paul M. Honkavaara d Chartered Financial Group  
 DEFENDANT: Coco Palms Hui, LLC, Private Capital Group, Inc. NUMBER: 17 CE CG 02343

JUDGMENT IS ENTERED AS FOLLOWS BY:  THE COURT  THE CLERK

4.  Stipulated Judgment. Judgment is entered according to the stipulation of the parties.

5. Parties. Judgment is

a.  for plaintiff (name each):  
 Paul M. Honkavaara dba Chartered Financial Group  
 and against defendant (names):  
 Coco Palms Hui, LLC

c.  for cross-complainant (name each):  
 and against cross-defendant (name each):

Continued on Attachment 5a.

Continued on Attachment 5c.

b.  for defendant (name each):

d.  for cross-defendant (name each):

6. Amount.

a.  Defendant named in item 5a above must pay plaintiff on the complaint:

c.  Cross-defendant named in item 5c above must pay cross-complainant on the cross-complaint:

(1) <input checked="" type="checkbox"/> Damages	\$	444,620.00
(2) <input checked="" type="checkbox"/> Prejudgment interest at the annual rate of 10 %	\$	65,533.78
(3) <input checked="" type="checkbox"/> Attorney fees	\$	11,139.50
(4) <input checked="" type="checkbox"/> Costs	\$	585.56
(5) <input type="checkbox"/> Other (specify):	\$	
(6) TOTAL	\$	521,878.84

(1) <input type="checkbox"/> Damages	\$	
(2) <input type="checkbox"/> Prejudgment interest at the annual rate of %	\$	
(3) <input type="checkbox"/> Attorney fees	\$	
(4) <input type="checkbox"/> Costs	\$	
(5) <input type="checkbox"/> Other (specify):	\$	
(6) TOTAL	\$	0.00

b.  Plaintiff to receive nothing from defendant named in item 5b.  
 Defendant named in item 5b to recover costs \$  
 and attorney fees \$

d.  Cross-complainant to receive nothing from cross-defendant named in item 5d.  
 Cross-defendant named in item 5d to recover costs \$  
 and attorney fees \$

7.  Other (specify):

Date: 10/26/17

  
 JUDICIAL OFFICER

Date:  Clerk, by \_\_\_\_\_, Deputy

(SEAL)

CLERK'S CERTIFICATE (Optional)

I certify that this is a true copy of the original judgment on file in the court.

Date:

Clerk, by \_\_\_\_\_, Deputy

EXHIBIT "2"

# DCCA State of Hawaii

Downloaded on November 3, 2017.

The information provided below is not a certification of good standing and does not constitute any other certification by the State.

Website URL: <http://hbe.ehawaii.gov/documents>

## Business Information

MASTER NAME	COCO PALMS HUI LLC
BUSINESS TYPE	Foreign Limited Liability Company (LLC)
FILE NUMBER	149586 C6
STATUS	Active
PLACE INCORPORATED	Delaware UNITED STATES
REGISTRATION DATE	Apr 21, 2016
MAILING ADDRESS	1050 BISHOP ST STE 303 HONOLULU, Hawaii 96813 UNITED STATES
PARTNER TERMS	AT-WILL
MANAGED BY	MANAGER(S)
AGENT NAME	KK1&2 LLC
AGENT ADDRESS	1050 BISHOP ST STE 303 HONOLULU, Hawaii 96813 UNITED STATES

## Annual Filings

FILING YEAR	DATE RECEIVED	STATUS
2017	Apr 24, 2017	Processed

## Officers

NAME	OFFICE	DATE
WATERS, CHAD	MGR	Apr 21, 2016
GREENE, TYLER	MGR	Apr 21, 2016

## Trade Names

NAME	TYPE	CATEGORY	REGISTRATION DATE	STATUS
COCO PALMS	Trade Name	NO CATEGORY SELECTED	Nov 1, 2016	Active
COCO PALMS RESORT	Trade Name	NO CATEGORY SELECTED	Nov 1, 2016	Active

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

PAUL M. HONKAVAARA dba  
CHARTERED FINANCIAL GROUP,

Petitioner,

vs.

COCO PALMS HUI LLC, a Delaware limited  
liability company;

Respondent.

S.P. NO. 17-1-0360 BIA  
(Other Civil Action)

CERTIFICATE OF SERVICE

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing document was duly served upon the following interested parties by depositing same in the U.S. Post Office, postage prepaid, at Honolulu, Hawaii, on the 3<sup>rd</sup> day of November, 2017.

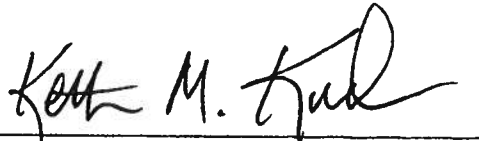
Coco Palms Hui LLC  
1050 Bishop St. Suite 303  
Honolulu, HI 96813

Respondent

KK1&2 LLC  
1050 Bishop St. Suite 303  
Honolulu, HI 96813

Registered Agent for Respondent

DATED: Honolulu, Hawaii, November 3, 2017.



\_\_\_\_\_  
KEITH M. KIUCHI  
Attorney for Petitioner

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <b>Steven R. Stoker</b> <span style="float:right">154947</span> <b>Pascuzzi, Pascuzzi &amp; Stoker</b> 2377 W. Shaw Avenue, Suite 101 Fresno, CA 93711 TELEPHONE NO.: (559) 227-1100 <span style="float:right">FAX NO. (Optional): (559) 227-1290</span> E-MAIL ADDRESS (Optional): <a href="mailto:ssroker@pascuzzi.net">ssroker@pascuzzi.net</a> ATTORNEY FOR (Name): <b>Paul M. Honkaavara dba Chartered Financ</b>	FOR COURT USE ONLY  <div style="font-size: 2em; font-weight: bold; letter-spacing: 0.5em;">FILED</div> OCT 26 2017 FRESNO COUNTY SUPERIOR COURT By _____ DEPUTY								
SUPERIOR COURT OF CALIFORNIA, COUNTY OF <b>Fresno</b> STREET ADDRESS: 1130 "O" Street MAILING ADDRESS: CITY AND ZIP CODE: <b>Fresno, CA 93721</b> BRANCH NAME:									
PLAINTIFF: <b>Paul M. Honkavaara dba Chartered Financial Group</b> DEFENDANT: <b>Coco Palms Hui, LLC</b>									
<table style="width:100%; border:none;"> <tr> <td style="text-align:center;"><b>JUDGMENT</b></td> </tr> <tr> <td> <table style="width:100%; border:none;"> <tr> <td><input type="checkbox"/> By Clerk</td> <td><input checked="" type="checkbox"/> By Default</td> <td><input type="checkbox"/> After Court Trial</td> </tr> <tr> <td><input checked="" type="checkbox"/> By Court</td> <td><input type="checkbox"/> On Stipulation</td> <td><input type="checkbox"/> Defendant Did Not Appear at Trial</td> </tr> </table> </td> </tr> </table>	<b>JUDGMENT</b>	<table style="width:100%; border:none;"> <tr> <td><input type="checkbox"/> By Clerk</td> <td><input checked="" type="checkbox"/> By Default</td> <td><input type="checkbox"/> After Court Trial</td> </tr> <tr> <td><input checked="" type="checkbox"/> By Court</td> <td><input type="checkbox"/> On Stipulation</td> <td><input type="checkbox"/> Defendant Did Not Appear at Trial</td> </tr> </table>	<input type="checkbox"/> By Clerk	<input checked="" type="checkbox"/> By Default	<input type="checkbox"/> After Court Trial	<input checked="" type="checkbox"/> By Court	<input type="checkbox"/> On Stipulation	<input type="checkbox"/> Defendant Did Not Appear at Trial	CASE NUMBER: <b>17 CE CG 02343</b>
<b>JUDGMENT</b>									
<table style="width:100%; border:none;"> <tr> <td><input type="checkbox"/> By Clerk</td> <td><input checked="" type="checkbox"/> By Default</td> <td><input type="checkbox"/> After Court Trial</td> </tr> <tr> <td><input checked="" type="checkbox"/> By Court</td> <td><input type="checkbox"/> On Stipulation</td> <td><input type="checkbox"/> Defendant Did Not Appear at Trial</td> </tr> </table>	<input type="checkbox"/> By Clerk	<input checked="" type="checkbox"/> By Default	<input type="checkbox"/> After Court Trial	<input checked="" type="checkbox"/> By Court	<input type="checkbox"/> On Stipulation	<input type="checkbox"/> Defendant Did Not Appear at Trial			
<input type="checkbox"/> By Clerk	<input checked="" type="checkbox"/> By Default	<input type="checkbox"/> After Court Trial							
<input checked="" type="checkbox"/> By Court	<input type="checkbox"/> On Stipulation	<input type="checkbox"/> Defendant Did Not Appear at Trial							

**JUDGMENT**

1.  **BY DEFAULT**
  - a. Defendant was properly served with a copy of the summons and complaint.
  - b. Defendant failed to answer the complaint or appear and defend the action within the time allowed by law.
  - c. Defendant's default was entered by the clerk upon plaintiff's application.
  - d.  **Clerk's Judgment** (Code Civ. Proc., § 585(a)). Defendant was sued only on a contract or judgment of a court of this state for the recovery of money.
  - e.  **Court Judgment** (Code Civ. Proc., § 585(b)). The court considered
    - (1)  plaintiff's testimony and other evidence.
    - (2)  Plaintiff's written declaration (Code Civ. Proc., § 585(d)).
  
2.  **ON STIPULATION**
  - a. Plaintiff and defendant agreed (stipulated) that a judgment be entered in this case. The court approved the stipulated judgment and
  - b.  the signed written stipulation was filed in the case.
  - c.  the stipulation was stated in open court  the stipulation was stated on the record.
  
3.  **AFTER COURT TRIAL.** The jury was waived. The court considered the evidence.
  - a. The case was tried on (date and time) : \_\_\_\_\_  
before (name of judicial officer) : \_\_\_\_\_
  - b. Appearances by:
 

<input type="checkbox"/> Plaintiff (name each) : (1) _____ (2) _____ <input type="checkbox"/> Continued on Attachment 3b. <input type="checkbox"/> Defendant (name each) : (1) _____ (2) _____ <input type="checkbox"/> Continued on Attachment 3b.	<input type="checkbox"/> Plaintiff's attorney (name each) : (1) _____ (2) _____ <input type="checkbox"/> Defendant's attorney (name each) : (1) _____ (2) _____
--	--
  - c.  Defendant did not appear at trial. Defendant was properly served with notice of trial.
  - d.  A statement of decision (Code Civ. Proc., § 632)  was not  was requested.

OFFICE OF THE  
ASSISTANT REGISTRAR, LAND COURT  
STATE OF HAWAII  
(Bureau of Conveyances)

The original of this document was  
recorded as follows:

DOCUMENT NO. Doc T - 12042209  
CT 1237067  
DATE/TIME December 21, 2022 3:01 PM

LAND COURT SYSTEM

THE ORIGINAL OF THE DOCUMENT  
RECORDED AS FOLLOWS:  
STATE OF HAWAII  
BUREAU OF CONVEYANCES  
DOCUMENT NO. Doc A - 83900768  
DATE - TIME December 21, 2022 3:01 PM

REGULAR SYSTEM

AFTER RECORDATION, RETURN BY MAIL TO

Keith M. Kiuchi, ALC  
American Savings Bank Tower  
1001 Bishop Street, Suite 985  
Honolulu, HI 96813  
(Phone: 808-533-2230)

Document No. T-11820232

Document No. A-81680740

TMK: (4) 4-1-003-007; (4) 4-1-003-004; (4) 4-1-005-014

**NOTICE OF PENDING APPEAL**

RE: Notice of Appeal was filed in CAAP-20-0000429 on or about August 25, 2020 with the Hawaii Intermediate Court of Appeals ("ICA") from Fifth Circuit Court's Judgment in Civil No. SCC191000086; *PRIVATE CAPITAL GROUP, Plaintiff-Appellee, v. PAUL M. HONKAVAARA dba Chartered Financial Group, Defendant-Appellant, et. al.* (hereafter referred to as "Appcal").

Tax Map Key Numbers (4) 4-1-003-007; (4) 4-1-003-004; (4) 4-1-005-014 ("Land").

PAUL M. HONKAVAARA dba Chartered Financial Group, obtained an Exemplified Foreign Judgment against Coco Palms Hui LLC, a Delaware limited liability company in the First Circuit Court on November 3, 2017 in S.P. No. ICC17100360. Said Exemplified Foreign Judgment (Judgment) was recorded with the Bureau of Conveyances of the State of Hawaii on

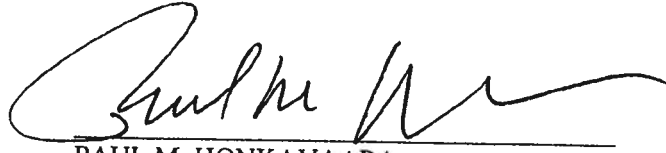
November 15, 2017 as Document No. 65280627. Therefore, Paul M. Honkavaara dba Chartered Financial Group, asserts an interest in the Land by way of this Judgment.

After the Judgment was recorded, Private Capital Group filed a foreclosure complaint against Coco Palms Hui LLC, a Delaware limited liability company in *PRIVATE CAPITAL GROUP, Plaintiff-Appellee, v. COCO PALMS HUI LLC, a Delaware limited liability company, TYLER SCOTT GREENE, CHAD WATERS and PAUL M. HONKAVAARA dba Chartered Financial Group, Defendants, et. al.*, Civil No. 5CC19100008. The Land described by the Tax Map Key numbers described above, is the subject Land in this foreclosure complaint. A judgment foreclosing the Land was entered in favor of Private Capital Group by the Fifth Circuit Court. Pursuant to the foreclosure, the Land was conveyed by a Commissioner's Deed to RP21 Coco Palms LLC, a Hawaii limited liability company, recorded in the aforesaid Bureau on April 20, 2022 as Document No. A-81680740, and also filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as T-11820232, from with Certificate No. 1237067 was issued.

On this 25th day of November, 2022, PAUL M. HONKAVAARA dba Chartered Financial Group, Defendant-Appellant in the above Appeal, by and through his attorney, KEITH M. KIUCHI, hereby give public notice to all parties that they filed, on or about August 25, 2020, an appeal in CAAP-20-0000429 with the Hawaii Intermediate Court of Appeals ("ICA") from the Fifth Circuit Court Judgment in Civil No. 5CC191000086. That case on appeal is entitled: *PRIVATE CAPITAL GROUP, Plaintiff-Appellee, v. PAUL M. HONKAVAARA dba Chartered Financial Group, Defendant-Appellant, et. al.*; CAAP-20-0000429.

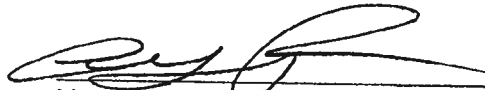
NOTICE IS FURTHER GIVEN that PAUL M. HONKAVAARA dba Chartered Financial Group, intends to pursue his right to keep any lien or judgment that he has relating to the Land in the event the Appeal is decided in his favor.

IN WITNESS WHEREOF, PAUL HONKAVAARA has executed these presents the day and year first above written.

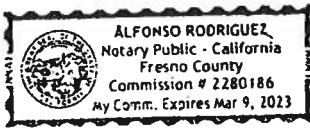
  
PAUL M. HONKAVAARA

STATE OF CALIFORNIA )  
 ) SS:  
COUNTY OF Fresno )

On this December 20, 2022, before me personally appeared PAUL M. HONKAVAARA, to me personally known/proved to me on the basis of satisfactory evidence, who, being by me duly sworn or affirmed, did say that such person(s) executed the foregoing instrument as the free act and deed of such person(s), and if applicable in the capacity shown, having been duly authorized to execute such instrument in such capacity.

  
Name: Alfonso Rodriguez, Notary Public

(Stamp or Seal)



Notary Public, State of California  
My commission expires: 03/09/2023



3 December 2023

Chair Dawn Chang  
Board of Land and Natural Resources  
[bnr.testimony@hawaii.gov](mailto:bnr.testimony@hawaii.gov)

Re: Opposition to D-6 Easements & Lease

Aloha e Chair Chang and Honorable Board Members:

**Please do not consider 30 year easements on Parcels A & C at this time.** Use of these lands is not a “de minimus action” as stated in the board D-6 submittal, page 6. Page 10 states Parcel C “has little to no use to the State.” I strongly disagree with both statements and urge you to defer these long-term commitments until a new Traffic Impact Analysis (TIAR) considers changes since the 2015 TIAR and a thorough analysis is made on the impacts of taking of public beach access.

BLNR - Issuance of RPs & Lease Auction

Page 2

December 7, 2023

<b>TMK (4):</b>	<b>Parcel Letter</b>	<b>Parcel Area</b>	<b>RP Number</b>	<b>RP Area</b>
4-1-003:044	Parcel A	17,964 sf	RP S-7407	460 sf
4-1-003:017	Parcel B	0.855 ac	RP S-7444	0.855 ac
4-1-005:017	Parcel C	5,244 sf	RP S-7613	5,224 sf

I believe this project has great impact on public beach access to Wailua Bay in the ‘ili of Alio as it eliminates the only available public parking on Wailua Bay, in Wailua Beach Park. This is a culturally significant area known as Lanakila, which has two trailheads to Kuhua Heiau, an ancient navigational heiau, at Lae Ala Kukui. Developers plan to build a Shuttle Roundabout by the SeaShell Restaurant with customer drop-off/pickup every 10 minutes as there is no on-site parking at the restaurant. The Shuttle Bus roundabout will eliminate all public parking.

This project is dependent upon use of two additional properties for resort access - the Wailua Canal state drainageway TMK (4) 4-1-003:040 and County of Kauai Wailua Beach Park (4) 4-1-005:004. I do not believe the BLNR has considered or granted access rights over the canal drainageway or to pave a 2 lane paved road over these Conservation District lands.

Coco Palms Resort Shuttle Bus to run from Event Center & Employee Parking Lot to Wailua Beach Park every 10 minutes.

Exhibit 1: Conservation District, Protective Subzone



4/13/2023

Event Center entrance on Wailua Canal drainageway (4) 4-1-003:040, now a 1-lane dirt road, is planned to be a paved 2 lane road, requiring clearing more coconut trees from state land.



Development plans detail Shuttle Bus service over this drainageway every 10 minutes for resort and restaurant customers and employees. This high usage was not considered in the 2015 TIAR, which only considered twice weekly usage. This is not a de minimus action and was not pre-existing.

This area, formerly part of the Lindemann historic coconut planting is known to contain a dis-continuous ancient cultural site, radiocarbon dated to the 1400-1500's, site 50-30-08-1711 and known reinterments. During resort era, Tennis Courts and a Pro Shop were located here and a small Zoo. Both these resort components, listed on the National Register of Historic Places, are planned to be cleared and removed, being replaced with a 300 seat Event Center. It is unknown whether SHPD has approved this major alteration and removal of features of a National Register site.

Event Center and Employee access road over Wailua Canal drainageway, TMK (4) 4-1-003:040 is planned for at least 3 employee shifts daily, 7 days per week and for SeaShell Restaurant patrons, on Conservation District lands, in close proximity to Wailua Canal and pre-contact archaeological sites.

Use of and paving of these lands is not considered in this submittal, but should be.

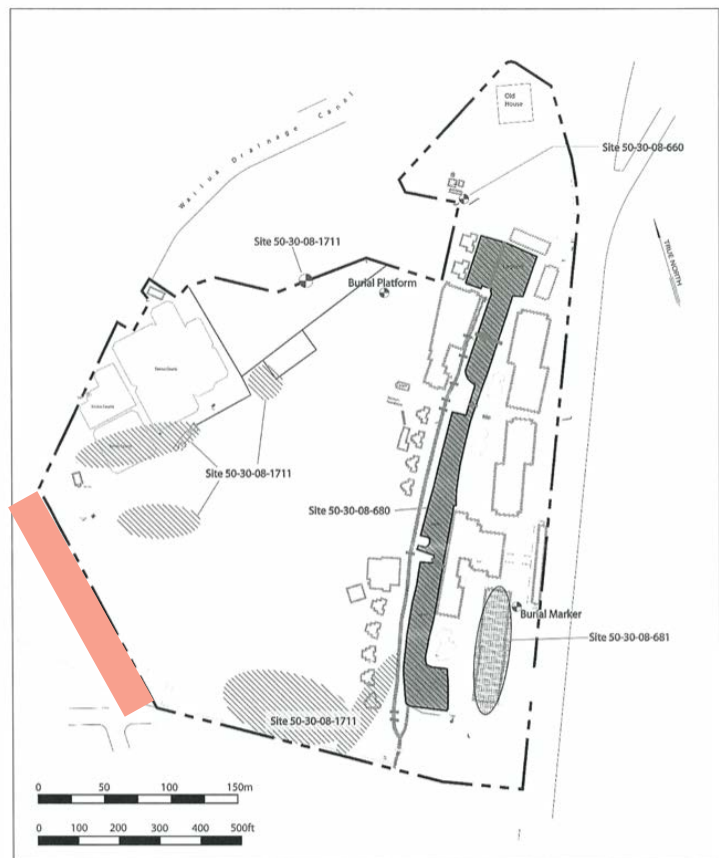
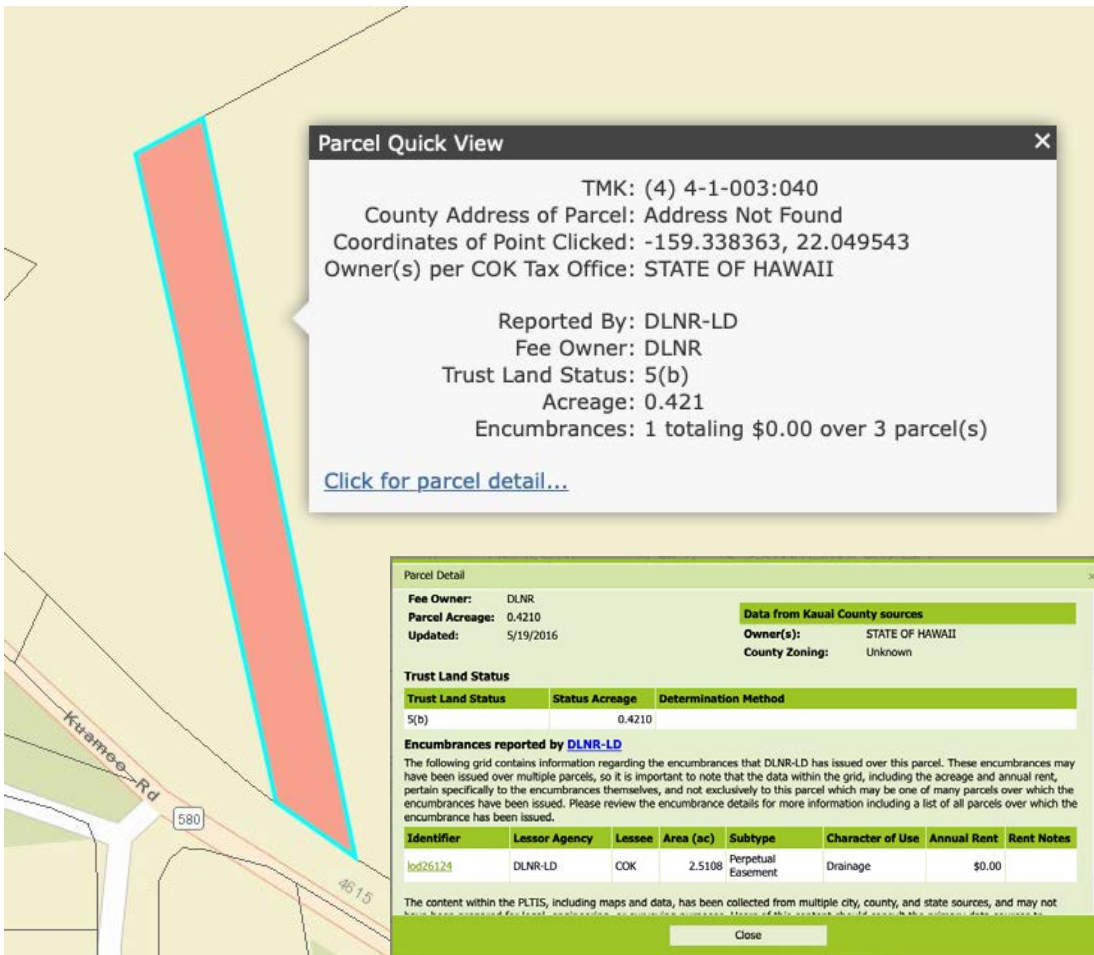


Figure 19. Coco Palms Resort project area indicating locations of identified historic properties

A Footnote at bottom of pdf page 9 of the Dec. 8, 2023 Submittal, includes:

Board does not generally issue leases over lands set aside to other agencies; easements may be permitted with the consent of the holder of the executive order. The only logical applicant for an access easement over the parcel is the abutting private landowner, RP21CP.

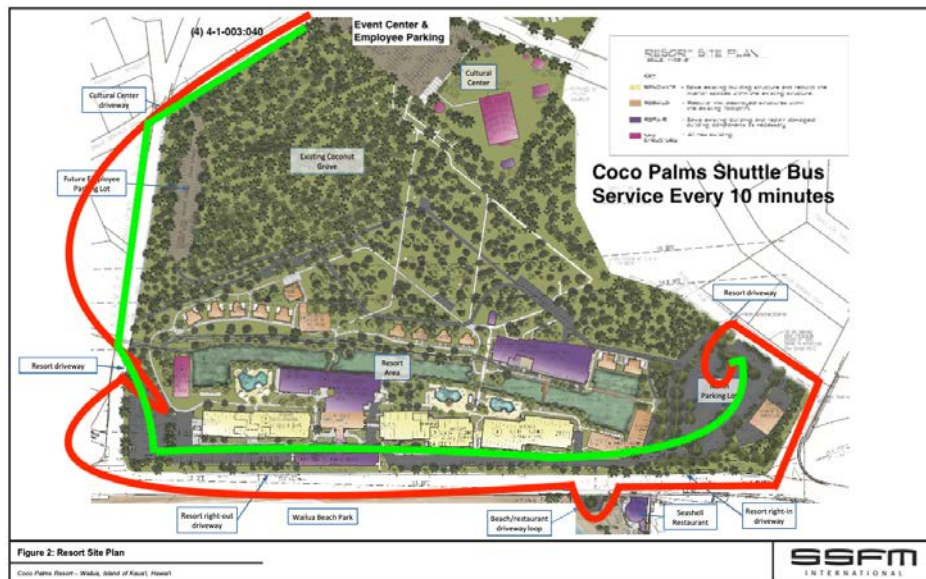


According to the Public Land Trust Information System<sup>1</sup>, this Wailua Canal drainageway (4) 4-1-003:040 is encumbered by a perpetual easement to the County of Kauai by Land Office Document 26124:

I do not believe the County of Kauai has been asked if Coco Palms resort can pave a 2 lane entrance road

over their Conservation District drainageway easement. This property is integral to this new development plan and should be submitted to this Board for consideration.

The 2015 TIAR details the first drop off in a Shuttle Bus turnaround in the state parking lot formerly considered by RP 7444, with the Shuttle Bus being the only traffic being allowed to turn left out of this entrance. This is a very dangerous intersection, and exclusive resort traffic turning left into a signal light stacking lane will be confusing and dangerous to public safety.



<sup>1</sup><https://pltis.hawaii.gov/HomeAuthenticated/Map>

The next Shuttle Bus dropoff turns right into Wailua Beach Park from Kuhio Highway, crossing the much used Kauai Bike Path, Ke Ala Hele Makalae, every 10 minutes. The roundabout structure for this Shuttle Bus stop consumes the entire Wailua Beach Park parking lot, eliminating public parking at Wailua.



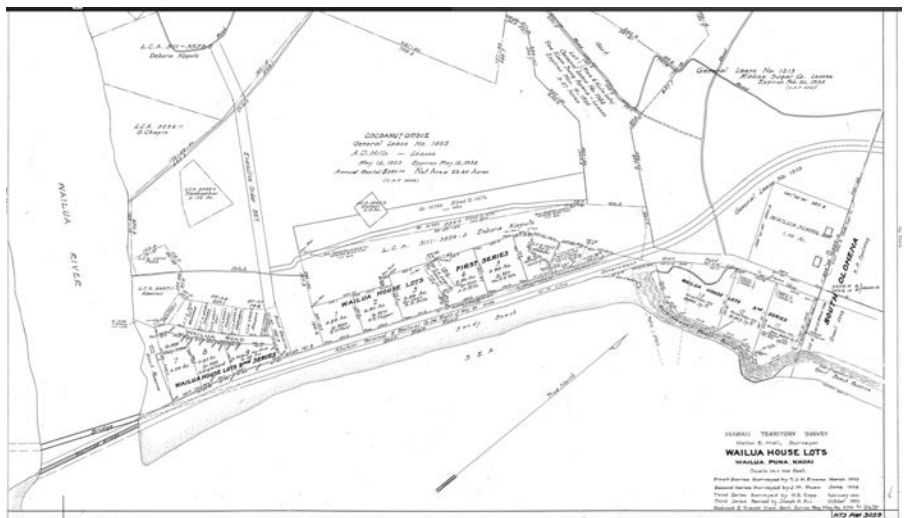
This Wailua Beach Park, was reserved in 1921 by Executive Order 97 by Governor Charles J. McCarthy. It was important to the State then. It is important to the people of the state, even if state agencies do not recognize the significance. It is the only place remaining on Wailua Beach for the public to park.

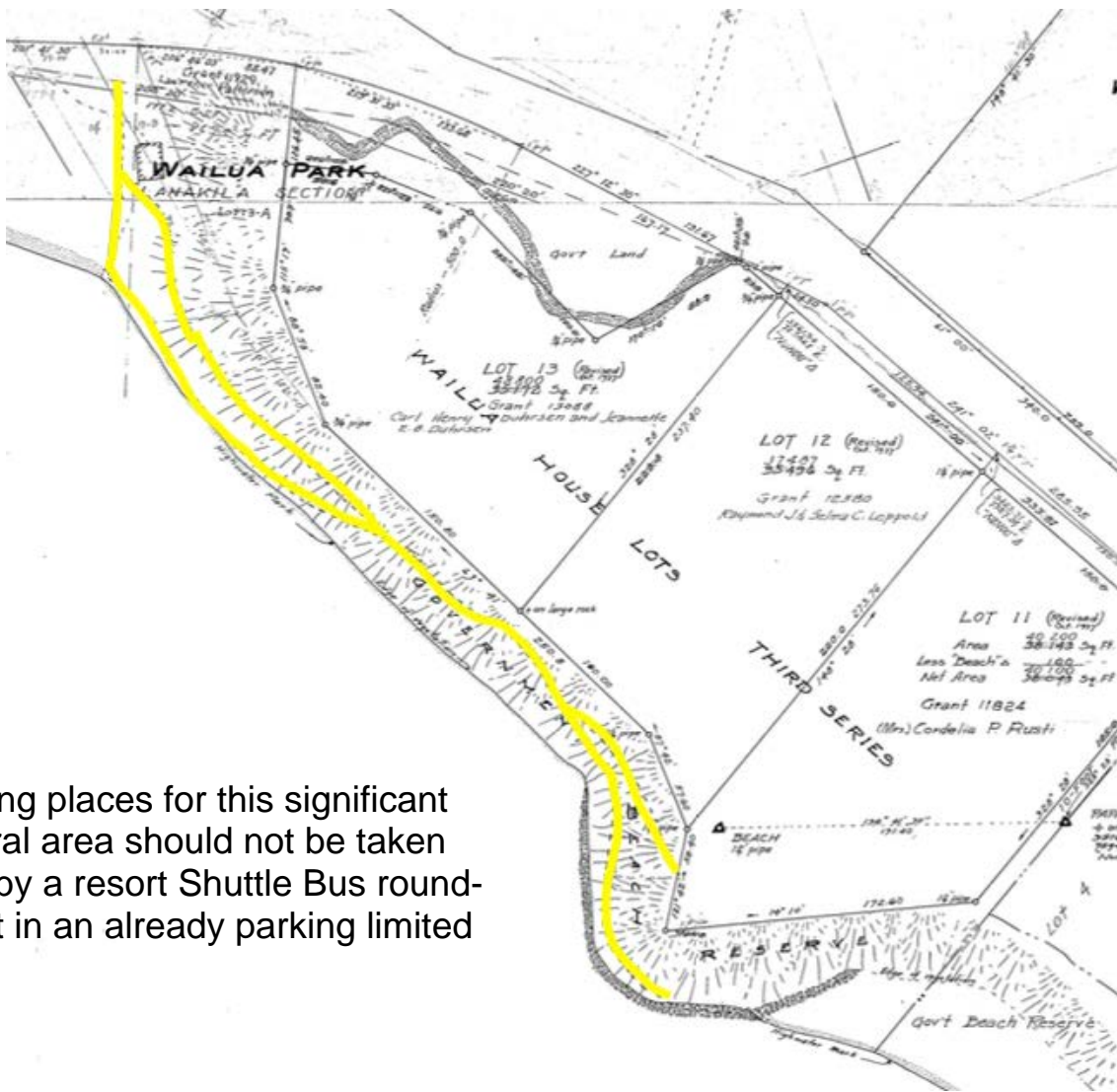
The Bike Path is mauka of Wailua Beach Park and the State Land formerly considered by RP 7613. There is an easement here encumbered by EO 4317 to the Department of Transportation for bike and pedestrian path purposes.

Again, as the footnote on bottom of page 9 of the board’s submittal states:

Board does not generally issue leases over lands set aside to other agencies; easements may be permitted with the consent of the holder of the executive order. The only logical applicant for an access easement over the parcel is the abutting private landowner, RP21CP.

The other contiguous landowner is the County of Kauai Wailua Beach Park, which would be the most logical holder of this former beach park reserve land. This Lanakila Section is frequented by families, fisherfolk, crabbers, surfers, kite boarders and other cultural practitioners preparing to enter Kuhua Heiau at Lae Ala Kukui. There are 2 ancient trails leading from this beach park to the heiau at Lae Ala Kukui as shown on Registered Map 2716, blown up below.





Parking places for this significant cultural area should not be taken over by a resort Shuttle Bus roundabout in an already parking limited area.

Wailua Beach Park North Parking Lot is not big enough for a Shuttle Bus roundabout and takes wave action, diminishing available parking.



Wailua Beach experiences severe erosion and sand outmigration and recently, as shown below in 2020, is receiving timber and wood slash from mauka biofuel timber harvest.



There has not been a shoreline certification on this property since 2005. The project is dependent upon Employees and Restaurant patrons being able to take a Shuttle Bus every 10 minutes. The area planned for the roundabout experiences high wash of the waves, sometimes going over Kuhio Highway.

This Board must take a hard look at this Shuttle Bus Roundabout before issuing a 30 year easement dependent upon using beach park land for private ingress/ egress at the expense of cultural practitioners and beach going public.



The parking lot at the south end of Wailua Beach Park has been taken by the ocean.

Fisherfolk are illegally parking on the Bike Path as there is not sufficient parking now in Wailua. This is not safe, nor is it the purpose of the Ke Ala Hele Makalae.

Removing the only available parking at Wailua Beach Park and replacing it with a resort Shuttle Bus will only make public beach access worse.

Wailua beach is culturally significant and important to the people of Kauai, even if the State disclaims interest. It is not logical to assume only RP21 Coco Palms Hui LLC has interest in (4) 4-1-005:017.

It has been 30 years since the public could access these lands - a generation. There has been no use of this property for 3 decades. How can putting a commercial business there, with no parking, be de minimus?

There are significant negative impacts caused by the new Coco Palms development that have not been considered. There are significant negative impacts caused by the use of additional parcels by this development that have not been considered.

If (4) 4-1-003:040 is going to be primary access for employees and SeaShell Restaurant goes, this property must be included for Board consideration and to the County of Kauai for permission.

The great negative cultural impact of all public parking being eliminated on county beach park property (4) 4-1-005:004 and only Shuttle Bus access to Wailua Beach Parking Lot must be considered by a Ka Pa'akai Analysis and community input before issuance of 30 year easements. Wailua Bay should not be privatized exclusively for Coco Palms resort tourists.

HRS §115 considers the importance of beach access:

**§115-1 Findings and purpose.** The legislature finds that miles of shorelines, waters, and inland recreational areas under the jurisdiction of the State are inaccessible to the public due to the absence of public rights-of-way; that the absence of public rights-of-way is a contributing factor to mounting acts of hostility against private shoreline properties and properties bordering inland recreational areas; that the population of the islands is increasing while the presently accessible beach, shoreline, and inland recreational areas remain fixed; and that the absence of public access to Hawaii's shorelines and inland recreational areas constitutes an infringement upon the fundamental right of free movement in public space and access to and use of coastal and inland recreational areas. The purpose of this chapter is to guarantee the right of public access to the sea, shorelines, and inland recreational areas, and transit along the shorelines, and to provide for the



acquisition of land for the purchase and maintenance of public rights-of-way and public transit corridors. [L 1974, c 244, §1; am L 1977, c 164, §3]

**§115-7 State and county co-sponsorship of programs.** The department of land and natural resources shall enter into agreements with the council of any county providing for the acquisition of public rights-of-way and public transit corridors pursuant to this chapter; provided that the county shall match the funds which have been appropriated by the legislature. The development and maintenance of the rights-of-way and public transit corridors shall be the responsibility of the county. [L 1974, c 244, §7]

**§115-9 Obstructing access to public property; penalty.** (a) A person commits the offense of obstructing access to public property if the person, by action or by having installed a physical impediment, intentionally prevents a member of the public from traversing:

- (1) A public right-of-way;
- (2) A transit area;
- (3) A public transit corridor; or
- (4) A beach transit corridor;

and thereby obstructs access to and along the sea, the shoreline, or any inland public recreational area.

(b) Physical impediments that may prevent traversing include but are not limited to the following:

- (1) Gates;
- (2) Fences;
- (3) Walls;
- (4) Constructed barriers;
- (5) Rubbish;
- (6) Security guards;
- (7) Guard dogs or animals; and
- (8) A landowner's human-induced, enhanced, or unmaintained vegetation that interferes or encroaches within beach transit corridors.

(c) Obstructing access to public property is a misdemeanor.

(d) Minimum fines for violation under this section shall be as follows:

- (1) \$1,000 for a second conviction; and
- (2) \$2,000 for any conviction after a second conviction.

(e) As used in this section:

"Landowner" means the record owner of the property or the record owner's agent, including a lessee, tenant, property manager, or trustee.

"Person" means a natural person or a legal entity.

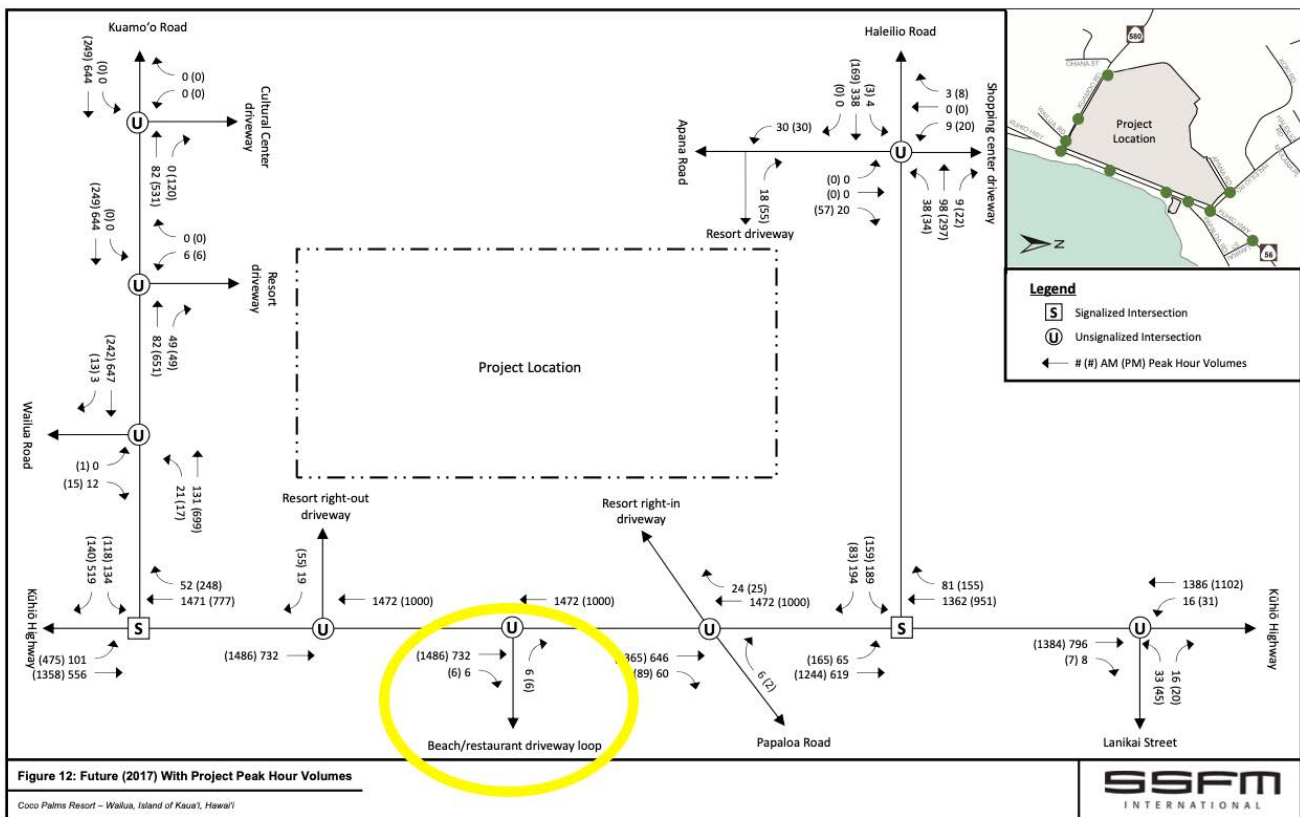
"Public recreational area" means public lands or bodies of water opened to the public for recreational use.

[L 2004, c 169, §2; am L 2010, c 160, §4]

The BLNR should not make Wailua Bay inaccessible to the public by enabling the Shuttle Bus roundabout through a 30 year easement process.

Parcel A considers paving a resort entrance driveway over an area that is an underground utility hub, containing water, sewer, phone, cable and other vital infrastructure under this driveway. Any repair in this area would require digging up the driveway. This driveway restricts pedestrian traffic and has not been considered by county public works for impacts.

Please defer issuance of these 30 year easements until a current Traffic Impact Analysis is approved considering current conditions, configurations and impacts as the last TIAR considered 2017 as Future.



Post project, the only vehicles to enter would be resort Shuttle Buses. Please do not issue easements enabling this restriction.

Please consider all properties this project is dependent upon for operations, before construction begins, especially including State (4) 4-1-003:040 and County of Kauai (4) 4-1-005:004.

Please consider the “reverse taking” of public beach parking by the issuance of a 30 year lease for this very culturally important piece of state land, formerly considered by RP 7613 and do not let a 30 year easement.

Mahalo for these considerations,

Alison Lewis

# **QUEEN DEBORAH KAPULE HAWAIIAN CIVIC CLUB**

## **A RESOLUTION**

### **URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO SUPPORT THE CONTINUED ISSUANCE OF REVOCABLE PERMITS AND STATE LEASES TO PERPETUATE THE HISTORICAL LEGACY OF THE COCO PALMS RESORT AND FOR THE BENEFIT OF THE PUBLIC**

WHEREAS, The Queen Deborah Kapule Hawaiian Civic Club was chartered at the 2006 Association of Hawaiian Civic Clubs Convention;

WHEREAS, at the charter proceedings, its President and founder Liberta Lilia Hussey Albao shared her mana'o about Queen Deborah Kapule and the large mural that honored the Queen at the Coco Palms Hotel, where she was employed as Accounting Manager;

WHEREAS, The Queen Deborah Kapule Hawaiian Civic Club maintains the true and accurate history of Wailua and keeps the memories and traditions of Queen Deborah Kapule alive to this day;

WHEREAS, Wailua Kaua'i has a venerable history;

WHEREAS, due to its abundant waters and natural resources, Wailua was highly developed in pre-contact Hawaii containing heiau, expansive agricultural works, and abundant fishing grounds;

WHEREAS, Wailua was a favored seasonal home of Kauai's ali'i up until the early-mid 19<sup>th</sup> century;

WHEREAS, in 1824 Queen Deborah Kapule received lands in Wailua Kai where she was appointed its haku 'aina due to her close association with Queen Ka'ahumanu;

WHEREAS, Queen Deborah Kapule was always a friend to foreigners, and entertained them with much hospitality;

WHEREAS, during her time at Wailua, Queen Deborah Kapule would host visitors at her residence and provide these groups with a large double-hull canoe with paddlers to tour up the Wailua River for a visit to the falls;

WHEREAS, after the Great Mahele Queen Deborah Kapule moved back to Waimea Kauai where she spent the last years of her life;

WHEREAS, in 1896, German immigrant Ernest Lindemann planted a large coconut grove in Wailua on land that he leased from the Hawaiian Kingdom in an effort to pursue a successful commercial copra operation;

WHEREAS, Mr. Lindemann's copra enterprise was unsuccessful;

WHEREAS, following Mr. Lindemann's attempt, Alfred D. Hills acquired the lease for the coconut grove as the proprietor of a wholesale business called "Riverside Grove" that sold copra and coconuts;

WHEREAS, by 1938 Hills was not interested in the copra business any longer as it had been operating at a loss and the trees were getting older and taller while the coconuts were getting smaller;

WHEREAS, Mr. Hills then started an inn by converting his family residence into a lodge with eight rooms and a kitchen.

WHEREAS, Mr. Hills' inn expanded into the Garden Island Hotel, later renamed the Coco Palms Lodge in homage to the remaining Lindemann coconut grove, a modest "24-room roadside lodge" that had its grand opening in December 1946.

WHEREAS, in 1952, Mr. Hill's widow, Vida Hills, first leased and then later sold the Coco Palms Lodge to Lyle Guslander of Island Holiday, Ltd. in 1953;

WHEREAS, Mr. Guslander placed Grace Buscher, later Grace Buscher Guslander, in charge of managing the lodge;

WHEREAS, Mrs. Guslander's aim was to differentiate her hotel from other "sun and fun" destinations and to do this she emphasized the history and culture of Hawai'i by focusing on the hotel lagoon and coconut grove rather than Wailua beach across the highway;

WHEREAS, at the peak of the hotel's popularity, the number of trees in the coconut grove expanded dramatically and the grove contained many improvements including a chapel on the eastern edge, various thatch structures and picnic spots, roof shelters employed as artifact enclosures, a second entry road, rambling foot paths, parking spaces and a zoo;

WHEREAS, Mrs. Guslander's embrace of the Hawaiian history, culture and people turned the humble Coco Palms Lodge into the world-famous Coco Palms Resort, the embodiment of the exuberance of Hawai'i's mid-century Polynesian aesthetic which taught the resort's guests about ancient traditions while providing them with a Polynesian vacation.

WHEREAS, the Coco Palms Resort was not only unforgettable for the guests who were lucky enough to vacation there during its heyday, but this iconic experience has endured and captured the imagination of countless people from around the world via film, photographs, stories, and tours;

WHEREAS, the Coco Palms Resort was the largest hotel on any neighbor island with 416 rooms, a 5-star tennis facility, a zoo and 350 full and part-time employees who were all part of one ohana;

WHEREAS, the Coco Palms Resort held numerous state leases, easements and revocable permits as part of its operation;

WHEREAS, the Coco Palms Resort maintained the State lands at its own considerable expense for the benefit of the public as well as its guests;

WHEREAS, in 1992 Hurricane Iniki did significant damage to the Coco Palms Resort which has slowly deteriorated over the years;

WHEREAS, the Coco Palms Resort and all of the State lands that have historically been attendant to the resort were included on the State of Hawaii Historic Register in 2020 and the National Historic Register in 2021;

WHEREAS, the State and the owners of the Coco Palms Resort engaged in one of the first examples of a true public private partnership and worked cooperatively for the benefit of the entire community; and

WHEREAS, the Coco Palms Resort still has a special place in the hearts of the people of Kauai and its restoration is supported by many in the community;

NOW, THEREFORE, BE IT RESOLVED, that the Queen Deborah Kapule Hawaiian Civic Club supports the continued operation and maintenance of the State lands held by the Coco Palms Resort under lease, revocable permit and/or easements by the Hotel at the hotel's expense and for the benefit of the public and the hotel's guests alike;

BE IT FURTHER RESOLVED, that the Queen Deborah Kapule Hawaiian Civic Club finds the accusations of the opponents of the restoration and redevelopment of the Coco Palms Resort to be inflammatory and historically inaccurate;

BE IT FURTHER RESOLVED, that the Queen Deborah Kapule Hawaiian Civic Club finds Kauai County Council Resolution No. 2023-44 is historically inaccurate and unnecessary given that the terms and conditions for the continued use of the State lands attendant to the Resort and the Coco Palms development permits require the owners to maintain the state lands at their expense and for the benefit and furtherance of public use and access;

BE IT FURTHER RESOLVED, that the Queen Deborah Kapule Hawaiian Civic Club urges the State Department of Land and Natural Resources and the Board of Land and Natural Resources allow the State Leases, easements and revocable permits to continue to be issued to the owners and operators of the Coco Palms Resort;

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted to the Director of the Department of Land and Natural Resources, the Chair of the Board of Land and Natural Resources, the Chair of the Kauai County Council, the Mayor of the County of Kauai, the Chair of the Board of Trustees of the Office of Hawaiian Affairs, State Senate President Kouchi, and Legislative Representatives Nakamura, Evslin and Morikawa.

The undersigned hereby certifies that the foregoing Resolution was duly adopted on July 14, 2023

  
Liberta Hussey-Albae, President

Puali'ili'imaikalani Rossi-Fukino

356 Likeke Place

Kapa'a, Kaua'i, HI 96746

December 6, 2023

To Whom This May Concern:

Aloha mai kākou,

My name is Puali'ili'imaikalani Rossi-Fukino. I am writing on behalf of my 'ohana (listed below) and I strongly oppose the use of state parcels in Wailua to facilitate and support the development of a resort. I was raised in the moku of Puna, in the ahupua'a of Wailua. I am a lineal descendent of this 'āina through my makuakāne's (father's) side of the family. I am also an Assistant Professor of Hawaiian Studies at Kaua'i Community College.

We oppose the issuance of Term, Non-Exclusive, Easements to the RP21 Coco Palms LLC Developers for two state parcels. These easements will assist these developers in their plans for a hotel on the corner in Wailua through the use of these public lands. We also oppose issuing these developers Revocable Permits (RPs) for and the sale of the Lease at public auction for the Kuamoo Rd corner state parcel. In addition to these two items, we oppose granting these developers "Immediate Right-of-Entry" for three state parcels to utilize public lands in the development of their 350-room hotel.

Our 'ohana sees the value of granting new RP's to community groups. I (Pua) serve on a community nonprofit organization called I Ola Wailuanui. Our group has a vision in mind that only serves to benefit the 'āina and the community of Kaua'i. We are not looking to make money off this 'āina. We want to utilize the land in a way that supports the community and, most importantly, uses the knowledge of our kūpuna to restore Wailuanuiaho'āno to a sustainable and flourishing land. At a time when climate change is a severe issue, working with the land is of the utmost importance. We want to see this 'āina as one that will restore our native ecosystem and be one that can produce food for generations to come. We want to see a place where our native birds can return and thrive, a place where we can restore our traditional food production systems (lo'i and loko i'a), and a place that truly honors the rich history of this land.

We are also requesting that the BLNR require any future holders of this property comply with Hawai'i Revised Status 343, which calls for environmental impact statements that outline any and all impacts on the proposed use of the land. Our 'ohana has property close to the Coco Palms site and we have seen, on numerous occasions, desecration of the 'āina and a lack of consideration for the people who live in the area.

Our 'ohana is alarmed that anyone would want to rebuild a hotel when our island is saturated with enough places that cater to tourists. Why not turn this site into something that celebrates Hawaiian culture? Why not honor the Kaua'i community by creating a space for us to come together, a place for education and training, and a place where the legacy of kūpuna may

continue? I know many people on Kaua'i who would be excited to see this site turned into something that benefits our people and celebrates the history of our island. Let's put community and culture before all else and treat this place with the respect it deserves. This is our opportunity to show aloha for this 'Āina.

Mahalo nui for your time and consideration.

me ka ha'aha'a (humbly),

A handwritten signature in black ink, consisting of stylized, overlapping loops and lines that form a cursive representation of the name Pua Rossi-Fukino.

Pua Rossi-Fukino (and my children - Kualau Rossi-Fukino and 'Ilikeha Rossi-Fukino)



December 4, 2023

(via email: [blnr.testimony@hawaii.gov](mailto:blnr.testimony@hawaii.gov))

Hawai'i Department of Land and Natural Resources  
1151 Punchbowl Street, Room 220  
Honolulu, Hawai'i 96814

RE: Land Division Agenda Item D-6 RP21 Coco Palms LLC – BLNR Meeting 12.7.2023

Aloha Chair Chang and Board Members:

The Sierra Club Kaua'i Group resolutely opposes granting RP's #7407, 7444 and 7613, and continuation of a lease GL-4876 to the newest claimant of the right to use these State Land properties, RP21CP.

You are receiving advice from your staff, who in turn are relying on an April 14, 2023 report provided by the Kauai Land Division Office (KDLO). This report relies heavily on communications with a series of RP21CP attorneys, as that entity has gone through a series of legal maneuvers to bolster its claim to ownership.

When KDLO asked RP21CP attorney McDonnell what they would do if the Board cancelled the three Coco Palms adjacent leases, "McDonnell said if the Board were to cancel the RP's, the developer would sue the State since the cancellation of the Coco Palms RPs may affect developers permit and the developer would suffer monetarily." May we all agree that this Utah developer invested in a Kaua'i east shore property with a complicated history at its own risk, and the State is not liable to any monetary fallout resulting from its actions.

The KDLO report says that the coconut grove lease site GL4876. set to expire in 2048, cannot be terminated by the Board. But Chair Chang said the opposite when appearing before the Kauai County Council, citing RP21CP's grubbing and cutting down healthy coconut trees in the coconut grove, which is designated conservation land, without permission from the State.

We urge the Board to not abuse itself of the idea that granting the RPs and the lease to this developer, in effect privatizing them, will unburden the BLNR of a 35 year long Coco Palms headache. They will be back, asking for more until their Disney World-like aspirations are met. For example, they have no permitted access road from Kuamo'o Road to their planned parking lot to serve their planned wedding venue, neither of which are approved, either. The parking lot happens to be in the same place where a few people were staying in tents (the "homeless hotspot" referenced in the KDLO report.) Which use renders the most benefit to the community? The most harm? And aren't there better alternative uses to strive for? The KDLO report concludes that awarding the permits and leases to RP21CP is "the most prudent action at this time." We contend it is a parochial opinion piece only, ignoring ongoing legal challenges, stressed resources and infrastructure, a wetland with endangered nesting birds, climate change challenges, all triggering a EIS which has never been prepared for this location, a needed SMA approval and current traffic study, a profound cultural heritage owed protection, and overwhelming public opposition to another hotel.

We urge the BLNR to uphold its constitutional responsibility to protect public lands and to not grant revocable permits or a lease at this time.

With regards,  
Kip Goodwin