



## KAHALU'U NEIGHBORHOOD BOARD NO. 29

(Heeia Kea, Ahuimanu, Kahalu'u, Waihe'e, Kaalaea, Waiahole, Waikane, Hakipuu, Kualoa

c/o Neighborhood Commission Office, 530 South King Street, Room 406, Honolulu, Hawaii 96813  
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*"LET US NOT EVER HAVE AN UNHAPPY MINORITY; RATHER, LET US BUILD A COMMUNITY CONSENSUS."*

### **DRAFT REGULAR BOARD MEETING MINUTES**

WEDNESDAY, AUGUST 12, 2009

KEY PROJECT

**CALL TO ORDER:** Pro Tem Chair LeVasseur called the meeting to order at 7:02 p.m. with a quorum of 10 (10) members present. Note – This 15 member Board requires eight (8) members for a quorum and to take official votes to adopt a motion.

**MEMBERS PRESENT:** Keliko Hoe, David Henkin, Ned Busch, Ken LeVasseur, Elwin Spray, Leatrice Gomes, Arthur Machado, Francis (Rocky) Kaluhiwa, Mark Valencia, and Gregory Geboski.

**MEMBERS ABSENT:** No member absent.

**VACANCIES:** Vacancies for the new term beginning July 1, 2009 are as follows: Sub Districts One (1), Two (2), and Six (6) each have one (1) vacancy. Sub District Five (5) has two (2) vacancies. Unless and until the Neighborhood Plan is amended, the Board lacks the authority to fill these vacancies.

**GUESTS:** Ernie Martin (Mayor Hannemann's Office), Linda Read (Marine Corps Base Hawai'i), Lt. John Vines (Honolulu Police Department), Firefighter R. Libed (Honolulu Fire Department), Brennon Morioka (Governor Lingle's Office), Representative Jessica Wooley, Barry Usagawa (Board of Water Supply), Michael Sakata (Councilmember Dela Cruz's Office), John and Terri Cambra (Pop Warner Coach), Steve Paty (Tropical Farms), Rich Vermeesch, Brian Nuss, Jerry Kaluhiwa, Amy Luersen and, Mary Chanel-Benjamin (Neighborhood Commission Office Assistant).

### **CITY GOVERNMENT REPORTS:**

**Honolulu Police Department (HPD)** – Lt. Vines distributed a report, and provided the following information:

- 1) **Statistics for July 2009** – There were 3 simple assaults, 4 auto recovery, 4 burglaries, 1 drug/narcotic, 3 family offenses, 1 graffiti, 11 motor vehicle collisions, 4 property damage, 12 thefts, 2 threats, and 7 unauthorized entries into motor vehicles.
- 2) **Stolen Motorcycle** – A suspect was arrested at the scene of an accident involving a stolen motorcycle.
- 3) **State Sex Offenders** – A 70 year old Kamehameha Highway resident was arrested after it was discovered he was sex offender and was not registered with the State. He was in possession of several pornographic tapes.

### **Questions, comments and concerns followed:**

- **Hui lo Pond** – Concerns over flood control drain ditch where trespassers and young kids hang out in this area where three homes have been robbed. Residents are asked to call HPD each time someone is seen in the area. If HPD does not respond in a timely manner, call them again and ask to speak to the supervisor on duty.
- **Attacks and Drug Dealings on the Rise** – Concerns over a recent bus stop attack, alleged gatherings behind 7-11 store at the fish pond, and the Kahalu'u Regional Park (KRP) parking lot and surroundings, as well as stolen property at He'eia Boat Harbor. Some felt the district is seeing an increase in drug dealings, and alleged the same individuals are involved in some cases. Since the banyan tree has been off-limits due to construction, the drug dealers have moved to the football field and stay until the children and their coaches show up at 3:00 p.m., chasing them out back to 7-11 across from the banyan tree. These habits are affecting the community and park users as vehicles and drivers clearly are seen selling out of parked vehicles at the regional park. Other reported concerns were: drug users were bathing in the sinks at the regional park, gambling and an overflow of vehicles parked at the KRP when there clearly is no activity ongoing on the field. Some residents offered vehicle license plate numbers and pictures for HPD. HPD



urged everyone with any concerns to report activities to HPD and supervisors. HPD does use plain clothes personnel, but it is difficult to make arrests because the drug users know who the police officers are. Residents can work with the police to set up a neighborhood watch or try to get a camera installed to monitor the KRP parking lot.

- City Website Reports – Residents are asked to use the city's website ([www.honolulu.gov](http://www.honolulu.gov)) to report concerns and supporting information to customer services. If all information is correctly submitted, someone from the city's complaint office should confirm the complaint and what was done to correct it.

#### BOARD ELECTIONS:

Board Chairperson – **Valencia nominated Henkin for the seat of Board Chairperson.** Henkin accepted the nomination. Henkin **WAS** elected Board Chairperson; 9-0-1. Aye: Busch, Geboski, Hoe, Kaluhiwa, LeVasseur, Machado, Valencia, Gomes and Spray. Abstain: Henkin.

Henkin presided over the Board meeting as Chairperson.

Board Vice – Chairperson – **Kaluhiwa nominated Machado for the seat of Board Vice Chairperson.** Machado accepted the nomination. Machado **WAS** elected Board Vice Chairperson; 9-0-1. Aye: Busch, Geboski, Hoe, Kaluhiwa, LeVasseur, Valencia, Gomes, Henkin, and Spray. Abstain: Machado.

Board Secretary – **Machado nominated LeVasseur for the seat of Board Secretary, he declined, Busch nominated Gomes, Gomes declined, and Kaluhiwa nominated Geboski.** Geboski accepted the nomination. Geboski **WAS** elected Board Secretary by unanimous consent; 10-0-0. Busch, Geboski, Hoe, Kaluhiwa, LeVasseur, Valencia, Gomes, Henkin, Spray, and Machado.

Board Treasurer – **Busch nominated Spray for the seat of Board Treasurer.** Spray accepted the nomination. Spray **WAS** elected Board Treasurer by unanimous consent; 10-0-0. Busch, Geboski, Hoe, Kaluhiwa, LeVasseur, Valencia, Gomes, Henkin, Spray, and Machado

**The Board unanimously agreed to place on tonight's agenda a vote on the day, time, place and recesses for the Board's new term.**

#### ANNOUNCEMENTS:

- September 2009 Board Meeting – September 9, 2009 will be the next Board meeting.
- Honolulu Habitat for Humanity – Families living in inadequate housing who do not have the financial resources to buy a home can find out if they possibly qualify. Please contact: [info@honoluluhabitat.org](mailto:info@honoluluhabitat.org); or call 538-7070.
- Lanakila Pacific Meals on Wheels (LPMW) – Volunteers are needed for this project.

#### RESIDENTS' AND COMMUNITY CONCERNS:

- 1) Board Vacancies/Public Hearing – Public hearings are to be conducted by the Neighborhood Commission of the City & County of Honolulu to receive public testimony on a proposal to amend Section 2-14-104(a) of the 2008 Neighborhood Plan to authorize the Board to fill vacancies. The district public hearing is scheduled for August 15, 2009 at the Windward City Satellite City Hall Conference Room at 45-480 Kaneohe Bay Drive. The hours of the hearing begins from 2:00 to 4:00 p.m. The Board has five vacancies and will need to fill them as soon as possible.
- 2) Baptist Church Group Home on Ka'alaea Rd. – Concerns were raised about a group living situation on Ka'alaea Rd. There seem to be about 10 families living at the property, and it was not known if it was a "half way" home or a church group.
- 3) Lile Place Spillway and Dead Tree – Concerns were raised about flooding risks from a failure to clear vegetation from spillways on Lile Place and a dead tree that fell and hit a vehicle. Representative Wooley said state Civil Defense is working to clear out streams and may be able to help. E. Martin said that, in the future, such safety concerns should be reported to the City Department of Consumer Services ([www.honolulu.gov/customerservice](http://www.honolulu.gov/customerservice)). The city will report its findings to the complainant.

#### INFORMATIONAL SESSION:

Board of Water Supply – B. Usagawa reported the following information:

- 1) Island-wide Pumpage – For the week of August 1, 2009, the pumpage was at 165mg per day.
- 2) No Main Breaks to Report.
- 3) Water Safety – Please do not cross BWS water lines with other water systems. If a main breaks or there is a drop in pressure, water can flow back from private property to the BWS system, which can cause contamination, especially if agricultural use – which has a lot of bugs and dirt in the water – is involved. Please call BWS Cross-Connection Control and Backflow Prevention at 748-5470 if residents need further information.

Honolulu Fire Department (HFD) – Firefighter Libed, who had just returned from responding to a call, reported the following information:

July 2009 Statistics – There were 1 home and 4 rubbish fires, 39 medical emergencies and 7 miscellaneous calls.

Marine Corps Base Hawai'i (MCBH) – L. Read circulated MCBH's newsletter and reported the following information:

- 1) MCBH Facility Hours of Operations – Mondays through Thursdays: 7:00 a.m. to midnight; Fridays: 7:00 a.m. to 10:00 p.m.; Saturdays: 8:00 a.m. – 5:00 p.m.; Sundays and Holidays: CLOSED. Exceptions: August 14 from 4:30 a.m. until 7:00 p.m.; August 22 from 7:00 a.m. until 7:00 p.m. and August 28, from 7:00 a.m. until noon.
- 2) News and Events – August 13 – 20, the base will have 1/3 Role-Player Exercise; the City Department of Transportation Services was offering support for these exercises. August 14 – 16, was the Twentieth Annual BayFest featuring headliner performances by Filter, the Black Eyed Peas, Marine Forces Band and several other local bands. Carnival rides and nightly fireworks were all part of BayFest. See [www.bayfesthawaii.com](http://www.bayfesthawaii.com) for more information. August 18, The Windward Civil Mil meeting at noon at the MCB Officers Club. September 12 – 14, Kuau Rockin' Surf Competition (open to the public).
- 3) Homecomings and Deployments – Deployed are Marine Heavy Helicopter Squadron 463; 3<sup>rd</sup> Marine Regiment HQ; 2<sup>nd</sup> and 3<sup>rd</sup> Bn.s 3<sup>rd</sup> Marine Regiment, and other detachments and augmentees. The remainder of HMH-362 is expected to return from their deployment to Iraq and Afghanistan later this month.

Questions, comments and concerns followed:

- 1) Early morning training – Concerns were expressed about planned 4:30 a.m. training disrupting area residents' sleep and the need for such training was questioned. Some supported the military doing training at any time to prepare for the current wars, while others did not think it is fair to the community.
- 2) Failure to respond to complaints about over-flights. Concerns were expressed about the Marines' failure to respond to calls complaining about flights shaking homes. Residents are urged to call 257-8832 to report noise level problems if there was no answer at 257-8852 and to provide as much information as possible (e.g., time, size of plane, location) regarding complaints. L. Read noted that many pilots are not familiar with the island and may go over land when they shouldn't.
- 3) Maximum noise levels. Chair Henkin noted that residents are concerned about maximum noise levels, rather than averages over long time periods and requested that the Marines provide data about peak noise. L. Read said she would try to provide that information at the Board's September meeting.

Kane'ohe Bay Regional Council (KBRC) – A. Machado reported the following information:

- 1) The July meeting was one of the best KBRC had ever had.
- 2) KBRC unanimously passed a resolution to extend the task force.

TREASURER'S REPORT: Spray reported this July 2009 Statement begins a new budget term; Operating Account reflected zero charges leaving the balance at \$1,520, the Publicity Account also reflected zero charges leaving the balance at \$993, and the Refreshment Account balance was \$120, leaving the Appropriated balance at \$2,633.

BUSINESS AND REPORTS:

Support for Repealing June 30, 2010 Sunset date for KBRC:

- 1) Community Interest – The community worked many hours involving about 100 citizens and businesses to form KBRC in 1990. A resolution to repeal the sunset date for KBRC (reprinted at the end of the minutes) was introduced and circulated for consideration by the Board.

- 2) Quorum and Cost Issues – Representative Ito was quoted saying keeping quorum and expenditures for State Department of Land and Natural Resources (DLNR) staff time have been a problem, although records show that, from 2006 to 2009, 80 percent of the meetings had quorum, and DLNR recently has been sending only one staffer to KBRC meetings, to take notes and communicate issues.
- 3) Protect Bay Resources – The Friends of Kaneohe Bay (FKB) was also formed to protect the bay and its resources. Currently, some safety issues can be solved by adding more markers and a force to specifically manage the aquarium fish issue. The community conflict may begin to surface as talks of ending KBRC continues. Machado and Busch both are members of FKB, Machado is a member of the KBRC.
- 4) Support Motion – **Machado moved and Kaluhiwa seconded for the Kahalu'u Neighborhood Board No. 29 to support the circulated resolution.** The motion **WAS** adopted by unanimous consent; 10-0-0; Busch, Geboski, Henkin, Hoe, Kaluhiwa, LeVasseur, Machado, Valencia, Gomes and Spray.

Cancellation of Friends of He'eia Park (HP) Lease –

- 1) No Public Information – Concerns over the award of a 20-year lease to Kama'aina Kids (KK) without public input, as the change in lessee from Friends of He'eia may change the park's environment and affect the community. A request was made to the State for a 90-day injunction to receive community input and concerns.
- 2) Public Information – B. Morioka said State Department of Land and Natural Resources (DLNR) evaluated and proposed the new lease; scoring sheets from this evaluation are available to the public. Bidders who did not get the lease have a right to protest to the DLNR and, if not satisfied with its response, can ask for a hearing before the State Department of Commerce and Consumer Affairs prior to going to circuit court. B. Morioka said he would request copies of the score sheets from DLNR's evaluation committee and would try to confirm whether DLNR reopened bidding to accept KK's application.
- 3) Local Working Groups Interests – The Friends of He'eia and the Ko'olaupoko Hawaiian Civic Club were the unsuccessful bidders for the lease; the Civic Club will seek to work with the KK program to integrate Hawaiian studies and programs as well, while Friends of He'eia have challenged the award of the lease. Some also questioned whether it was proper to put a public resource like the HP lease out for bid.
- 4) The Board suggested placing the issue on the next agenda or, if a time-sensitive matter arose, holding a special meeting.

Group Living Program at Marcus House (MH) Loveland Academy LLC at 48-190 Kamehameha Highway – John Loveland reported the following information:

- 1) History – MH is a unique therapeutic living program, located at the site of the former Waiahole Orchid Nursery, established in November 2007 and recently moved to the district in July. Dr. Patricia Dukes, Executive Director, established the program and, to allow growth and accommodations for more students, decided on this location. Dr. Dukes has over 40 years of experience and expertise in speech-language pathology, audiology, psychology, reading and special education. She has worked in public schools and clinics and also has over 20 years of university teaching.
- 2) Program – MH focuses on the needs of youth and young adults with Autism and related developmental disorders. The residence will provide a safe and comfortable environment for students who need 24-hour care in an out-of-home placement. Therapeutic Aides and staff will provide students with a number of services, including community outings, and will emphasize living and working "green." Students will learn agricultural skills while caring for their environment. Currently, the home houses only one student: a 14 year old boy from Maui with autism. He has been with the program for two years.
- 3) Future Expansion – Dr. Dukes hopes to establish several therapies at the site such as: training in agricultural businesses, vocational training center, and re-open the nursery/garden center. A dog center will also assist in training and raising pets as assisted therapy dogs. Currently, 40 children are being treated at the Honolulu facility. A maximum of 5 students would be treated in Waiahole, and students would be no more than 23 years old. Gary Olis has been working with the kids and was here tonight to urge the community to consider the many options the home will offer to both the children and the community.

Questions, comments and concerns followed:

- 1) Need to Meet with Waiahole Community – Concerns were raised that the project had not yet been presented to the Waiahole-Waikane Community Association (WWCA) for input. J. Loveland said MH was not aware of WWCA's existence, but would attend its meeting as soon as possible.
- 2) Safety Concerns – Concerns were raised about students being hit by cars crossing Kamehameha Highway. J. Loveland said the property would be fenced to keep the students in, and G. Olis emphasized

that students would always be accompanied when outside. Concerns were also expressed about plans to train dogs. J. Loveland said MH's chocolate labs are very gentle and are important for students' therapy.

- 3) Preserving Agriculture – Concerns were raised about converting Ag-zoned lands to commercial purposes. J. Loveland said he was raised on a farm and understands the importance of preserving agriculture, which MH will consider integrating into its program. MH will consider a condition on its CUP to ensure it is not transferable to another business.
- 4) Funding and Conditional Use Permitting – MH can have up to five children under the CUP Permit; funding involves some State Department of Education funding. MH also was aware the home sits on a flood zone area.
- 5) Motion – **Machado moved and Kaluhiwa seconded for the Kahalu'u Neighborhood Board No. 29 to table the matter to the September 2009 Board meeting.** The motion **WAS** adopted; 10-0-0; Busch, Geboski, Henkin, Hoe, Kaluhiwa, LeVasseur, Machado, Valencia, Gomes and Spray.

Tropical Farms at 49-227 A Kamehameha Highway – S. Paty reported the following information:

- 1) Permitting – Tropical Farms was last before the Board in 2003, when it first started its efforts to secure after-the-fact permits to sell macadamia nuts and other local products. The City has now accepted Tropical Farms' application for a special use permit (SUP), which City Department of Planning and Permitting will consider at a September 13, 2009 hearing. The farm currently sells coffee, noni, kukui products and services about 66 vendors island wide. Related artworks also are sold at the site.
- 2) Farm Business – Tropical Farms has been in business for over 22 years at the location. It employs about 25 personnel, about half of whom are recovering addicts or alcoholics who have found new beginnings with work at Tropical Farms. The staff has been known to offer visitors an experience of a lifetime, and invited the community to visit to experience the same. The farm leases 1.2 acres from Kualoa Ranch and was requesting the SUP to come into compliance. There have been no vehicle accidents fronting Tropical Farms in the past eight years, and its business hours are adjusted to avoid rush hour traffic on Kamehameha Highway.

Star Bulletin Interview – An inquiry from the Star Bulletin for information about the Kahalu'u Neighborhood Board was received by Chair Henkin. He has circulated the information requested and asked members to email Geboski their responses for compilation in a consensus document.

#### CITY AND GOVERNMENT REPORTS:

Mayor Hannemann's Report – E. Martin reported the following information:

- 1) Kahalu'u Regional Park – No funds have been programmed by the City to pave the parking lot on the makai side of Kamehameha Highway; a request to be included in a future capital improvement project can be made.
- 2) Waikane Pier – The City owns the pier; ocean side of the Waikane Store. There are no plans to repair the pier at this time; however, the City Department of Parks and Recreation (DPR) is willing to consider working with the community to repair the pier as long as the plans are approved by the City Department of Design and Construction (DDC). The Honolulu Film Office did require as a condition of the pier's use that the production companies had the pier examined by an expert and made necessary isolated repairs to ensure the safety of their production crews and actors.
- 3) Waihe'e Marsh – DDC has completed a project to clean up the berm and do limited landscaping along the berm and Kamehameha Highway. Additional improvement will depend on funding; a canoe halau, paved parking lot, comfort station and picnic amenities have been envisioned. There has been no follow up on clearing weeds within the marsh itself since a meeting with Board representatives on December 7, 2008.

Questions, comments and concerns followed:

- 1) Kahalu'u Regional Park – Several requests: investigate and action to address drug use and sales in the parking lot at all hours, homeless individuals monopolizing and abusing the restrooms at the park by hooking up hoses to shower, and installation of security cameras at the restrooms as a crime deterrent.
- 2) Waikane Pier – Several requests: does the City have any plans to repair the roof at the pier, who is provided access to the pier, can the community request access to the pier and, if yes, what are the necessary procedures that are required to gain access, and if no, why not? E. Martin said that a request for access must be made to DPR.

- 3) Waihe'e Marsh – Is there a schedule that has been developed and followed for the maintenance of the marsh, what is the schedule, and if there was none, why not?
- 4) Circle Island Bus – Requests for expanding the service hours for the Circle Island bus service.
- 5) Broken Rubbish Bin – Residents can contact E. Martin for repair of rubbish bins.

Governor Lingle's Report – B. Morioka reported the following information:

- 1) Statehood Mosaic Mural – As part of the commemoration of the 50<sup>th</sup> anniversary of Hawai'i's statehood, a giant mosaic mural featuring artwork by students nationwide was unveiled at the Honolulu International Airport this week. Made up of over 8,000 unique images the mural was created as a lasting tribute to our state.
- 2) Register Today to Experience "New Horizons for the Next 50 Years" – To culminate the year long commemoration for the anniversary of Hawai'i's statehood, the statehood commission will host a one day conference on August 21, 2009 at the Hawai'i Convention Center.
- 3) Kahekili and Kamehameha Highways – Road projects are ahead of schedule. The project at the intersection of Kamehameha and Kahekili Highways is about 65 percent completed using only 40 percent of the time permitted under the contract. The contractor should return about Hawaiian Electric Company moves the poles, and the project should be completed by October 5. The project at Kahekili Highway and Hui 'Iwa is about 65% done and should also wrap up in October 2009.

Questions, comments and concerns followed:

- 1) Kahekili and Kamehameha Highways – Drug addicts are parking over the weekends in the parking area for construction vehicles by the Hygienic Store; concerns about how they are getting the keys to this locked area.
- 2) Trees at He'eia Pier – B. Morioka reported that DLNR crews have not cut any trees near the pier; that portion of Kamehameha Highway is City owned.
- 3) Crosswalk at Hui 'Iwa West – Need for police officer at intersection during school hours. B. Morioka said that, as soon as construction is completed, the crosswalk would be moved back from the intersection as far as possible within the right-of-way; it is not possible to also have a crosswalk on the Kahuku side of the intersection.
- 4) Guardrail at Waikane Stream – B. Morioka reported that the Department of Transportation's Traffic Branch and O'ahu District are discussing installing a guardrail and looking for sources of funding. Representative Wooley suggested that State Department of Transportation contact MCBH, which may have funds for the guardrail.

Councilmember Dela Cruz's Report – M. Sakata reported the following information:

- 1) Aloha 'Aina – The Aloha 'Aina event at Windward Mall on August 1 was a success.
- 2) Streetlight at 'Ahaolelo – Since the road is privately owned, the owners must initiate and submit a written request to the director of DDC for the installation of street lights. Street light fixtures from Lunalilo Home Road in Hawaii Kai cannot be used for Ahaolelo.
- 3) Lulani Street Embankment – An investigation determined the embankment appears to be stable, but a site visit with LeVasseur and former Board member Kurt Mench is still planned. DDC will be determining the security of the embankment.
- 4) Kahalu'u Regional Park – M. Sakata will follow up on concerns about drug use at the park.
- 5) Hurricane Season – The National Oceanic and Atmospheric Administration projected three to four hurricanes to form or cross into the central pacific area during this year's hurricane season, which runs until November 30. For more information on how to prepare for a hurricane, please visit the City Department of Emergency Management website at: [www.oahuDEM.org](http://www.oahuDEM.org) or the State site at: [www.Scd.hawaii.gov](http://www.Scd.hawaii.gov).
- 6) Important Legislature – Bill 51; adds homeowners as a general land class, reported out of committee for second reading. Bill 54; requiring the shipping of solid waste out of state through a city administered program, passed first reading. Bill 55; amending the public transit fare provisions for disabled persons, reported out of committee for second reading.

Representative Wooley's Report – Rep. Wooley reported the following information:

- 1) Budget Crisis – The Finance Committee held an informational briefing today, at which the Council on Revenues projected a \$600 million shortfall over the biennium. The Governor was planning to eliminate

about 1,100 jobs, but the legislature had not been informed what criteria were used to determine which positions would be cut and how much money the Governor expected to save through lay-offs.

- 2) Windward Legislators' Panel – Senators and Representatives from the Windward side were holding a legislative wrap-up on August 13, from 7-8:30 p.m., at Windward Community College.
- 3) Townhall Meetings – Representative Wooley will be holding three evening town hall meetings to get community input on the upcoming legislative session and proposed bills: Hau'ula Elementary on September 16, Waiahole Elementary on October 28, and 'Ahuimanu Elementary on November 4.

#### DAY, TIME, PLACE AND RECESS FOR BOARD'S NEW TERM

- 1) **Geboski moved and Spray seconded for the Board to continue meeting on the second Wednesday at KEY Project, beginning at 7 p.m., and to authorize the expenditure of money to pay for the meeting space.** The motion **WAS** adopted by unanimous consent; 9-0-0; Busch, Geboski, Hoe, Kaluhiwa, LeVasseur, Gomes, Henkin, Spray, and Machado.
- 2) **Geboski moved and Spray seconded for the Board to recess during the month of December.** The motion **WAS** adopted; 8-1-0. Aye: Busch, Geboski, Hoe, Kaluhiwa, LeVasseur, Gomes, Henkin, and Spray. Nay: Machado.

At 10:00 p.m. NA, M. Chanel-Benjamin left the meeting.

#### COMMITTEE ASSIGNMENTS:

Chair Henkin asked for volunteers and appointed the following as committee chairs:

1. Water and Environment – Spray
2. Parks and Recreation – Machado
3. Planning – Spray
4. Preservation of Hawaiian Heritage – Hoe
5. Military/Civilian Affairs liaison – Busch
6. Legislation and School – Geboski
7. Transportation – LeVasseur

**Busch moved and Kaluhiwa seconded that LeVasseur represent the Board on the O'ahu Metropolitan Planning Organization and that Spray serve as the alternate.** The motion **WAS** adopted by unanimous consent; 9-0-0; Busch, Geboski, Hoe, Kaluhiwa, LeVasseur, Gomes, Henkin, Spray, and Machado

AGENDA ITEMS FOR SEPTEMBER 9, 2009 MEETING: Chair Henkin proposed possible agenda items for the next NB meeting: 1) Group home on Ka'alaea Road; 2) future operation of He'eia State Park; and 3) Marcus House, if more time-sensitive issues did not arise in the interim. In addition, Chair Henkin proposed including a presentation on LPMW only if there were a Kahalu'u-specific aspect of the program. Otherwise, LPMW would be invited to make a community announcement.

The proposed agenda items reflected the consensus of the Board members present. Machado suggested that the Executive Committee meet two weeks before the next regular Board meeting to hear community concerns and finalize the agenda. Chair Henkin said he was willing to try such a meeting and would poll the members of the Executive Committee to see if such a meeting was of interest.

#### APPROVAL OF THE REGULAR MEETING MINUTES:

- 1) The Board **APPROVED** the May 13, 2009 minutes; 8-0-1; Aye: Busch, Geboski, Hoe, Kaluhiwa, LeVasseur, Gomes, Henkin, and Spray. Abstain: Machado.
- 2) On p. 4 of the June 10, 2009 minutes, Busch asked to replace "Secretary Busch" with "Secretary Geboski."
- 3) The Board **APPROVED** the June 10, 2009 minutes, as amended; 8-0-1; Aye: Busch, Geboski, Hoe, Kaluhiwa, LeVasseur, Gomes, Henkin, and Spray. Abstain: Machado.

ADJOURNMENT: Chair Henkin adjourned the meeting at 10:21 p.m.

KBRC Resolution  
Kahalu`u Neighborhood Board #29  
August 2009

**Whereas** in 1990 the Legislature of the State of Hawaii found that:

“ Kaneohe Bay is a unique and treasured natural resource that must be preserved and protected for the continued enjoyment of the general public. The Bay is an extensive ecosystem that contains a unique estuary surrounded by barrier reefs that are unequaled in the world. Currently the Bay is heavily used by the general public, ocean and marine research programs and commercial ocean recreation operations, creating conflicting use situations. Use of Kaneohe Bay by commercial operators is a privilege and not an exclusive right. Therefore, in order to resolve the conflicting use problem, the legislature finds that a Master Plan should be developed which shall be use as the recommended guideline in the adoption and implementation of rules with regard to the regulation of all activities in Kaneohe Bay.” (Act 208,SLH 1990); and

**Whereas** Act 208 Session Laws of Hawaii 1990 created the Kaneohe Bay Master Plan Task Force and requested that it “study and develop recommendations for a master plan for Kaneohe Bay”; (Act 208, SLH 1990); and

Whereas the Task Force was established by the Legislature to be comprised of eleven members including: The directors of the State Departments of Transportation, Health and Land and Natural Resources; the Director of the Hawaii Institute of Marine Biology (HIMB); two representatives from Kane`ohe neighborhood board; two members from Kahalu`u Neighborhood Board; a representative from the commercial fishing industry; a representative from the commercial recreation industry; and the Commanding Officer, Marine Corps Air Station Kane`ohe; and

**Whereas** the Task Force articulated the purpose of the master plan to

“Preserve and protect the unique natural resources of Kaneohe Bay for the continued enjoyment of the general public;

Resolve conflicting use problems between recreational users of the Bay, the general public, and commercial recreation operations; and

Assess the environmental and ecological impacts of activities on the Bay.”

(Kaneohe Bay Master Plan, 1992); and

**Whereas** the Kane`ohe Bay Master Plan Task Force, collectively and after extensive community input including an estimated 3700 hours of community volunteer time, developed and formally adopted all the recommendations contained in the Kane`ohe Bay Master Plan 1992; and

**Whereas** the Kane`ohe Bay Master Plan called for the creation of a Kane`ohe Bay Regional Council; and

**Whereas** the Kane`ohe Bay Regional Council was established with representation from the HIMB, the Kane`ohe Neighborhood Board, the Kahalu`u Neighborhood Board, the commercial recreation operators, the fishing community, the recreational boating community and the Office of Hawaiian Affairs to:

- Facilitate the implementation of the Kane`ohe Bay Master
- Plan Review and periodically amend the Master Plan
- Serve as a central coordinative clearing house of public and private activities in Kane`ohe Bay
- Facilitate productive interaction between users of Kane`ohe Bay and the general public
- Recommend research, studies, data collection and planning of activities designed to provide additional information on Kane`ohe Bay.
- Advise the State and County on matters regarding the use of Kane`ohe Bay.
- Develop short and long term goals based on the Master Plan
- Educate the public and users of Kane`ohe Bay about problems and programs in the Bay.
- Serve as a public advocate
- Initiate and maintain contact with public, private, county and state organizations, agencies and individuals engaged in activities in the Bay
- Establish a Kane`ohe Bay fishing panel to monitor fishing activities in the Bay ; and

**Whereas** the Kane`ohe Bay Regional Council has contributed thousands of hours of volunteer effort to developing and implementing plans for Kaneohe Bay; and

**Whereas** the Kane`ohe Bay Regional Council includes representatives of many users of the Bay and provides a community forum to address issues related to the use of the Bay; and

**Whereas** Act 068 sunsets the Kane`ohe Bay Regional Council as of July 1, 2010 with no explanation; and

**Whereas** Act 068 mandates the Department of Land and Natural Resources to continue to exercise full force and effect with respect to all plans, programs, or other policies adopted by the Kaneohe Bay Regional Council; and

**Whereas** the Department of Land and Natural Resources has been severely impacted by budget cuts; and

**Whereas** the Kane`ohe Bay Regional Council can be a model for community-based management that could support and supplement state management efforts; and

**Therefore, now be it resolved** that the Kahalu`u Neighborhood Board #29 believes the functions of the Kane`ohe Bay Regional Council are important to the preservation, protection and management of Kane`ohe Bay and the ahupua`as which are part of the bay; and

**Be it further resolved** that the Kahalu`u Neighborhood Board #29 recommends the repeal of Act 068 and that this resolution be transmitted to windward legislators and Governor Lingle.