



KAHALU'U NEIGHBORHOOD BOARD NO. 29

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

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DRAFT REGULAR BOARD MEETING MINUTES

WEDNESDAY, JANUARY 13, 2009

KEY PROJECT

CALL TO ORDER: Chair Henkin called the meeting to order at 7:02 p.m. with a quorum of ten (10) members present. Note – This 15 member Board requires eight (8) members for a quorum and to take official Board action.

MEMBERS PRESENT: Ned Busch, David Henkin, Keliko Hoe (arrived 7:07 p.m.), Elwin Spray (arrived 7:05 p.m.), Ken LeVasseur, Leatrice Gomes, Arthur Machado Jr., Francis Kaluhiwa (arrived 7:07 p.m.), Brian Nuss, Lucy Salas, Clifford Loo, Mark Valencia and Gregory Geboski.

MEMBERS ABSENT: There were no members absent.

GUESTS: Ernie Martin (Mayor Hannemann's Office), Councilmember Donovan Dela Cruz, Major Alan Crouch (Marine Corps Base Hawai'i Public Affairs Office), Lt. John Cheong (Honolulu Police Department), Captain Darrell Kong (Honolulu Fire Department), Barry Usagawa (Board of Water Supply), Laura Thielen and Curt Cottrell (State Department of Land and Natural Resources); DeeDee Letts, Creighton Mattoon, D. Warman, R. Rierra, Kawika Burgess (The Trust for Public Land), Ray Sanborn (Kama'aina Kids); Flora Obayashi (Representative Wooley's Office), Michael Sakata (Councilmember Dela Cruz's Office), Norman Anderson, Dawn Wasson, Henry W. Wasson Sr., Kanoena and Sam Richardson, Guy Nakamoto, Jim Anthony, and Mary Chanel-Benjamin (Neighborhood Commission Office)

CITY GOVERNMENT REPORTS: (Honolulu Fire Department was called to an emergency)

Honolulu Police Department (HPD) – Lt. Cheong distributed District Four's Regional Patrol Report, and provided the following information:

- 1) Statistics for December 2009 – There were 1 rape, 12 burglaries, 65 thefts, 2 robberies, 12 motor vehicle thefts, 11 driving under influence, 55 fireworks violations, and 35 unauthorized entries into a motor vehicle.

Questions, comments and concerns followed:

- Fireworks Violations – There were no arrests made in Kahalu'u; however, three arrests were made on O'ahu. HPD and HFD now support a total ban on fireworks since they take responders away from other 911 calls.

(Spray arrived at 7:05 p.m.; eleven (11) members present)

- For more information regarding crime in Windward O'ahu, or to take action as part of the CPT or Security Watch, please contact HPD at 262-6555.

(Hoe and Kaluhiwa arrived at 7:07 p.m.; thirteen members present)

FILLING BOARD VACANCIES –

There was no one present who expressed interest in filling vacancies at this time. There is one vacancy in each of Sub-Districts Five and Six.

ANNOUNCEMENTS –

- February 10, 2010 is the next regular scheduled Board Meeting.
- The next Anti-Drug Clean Up is slated for January 16 beginning at 8:30 a.m. Refreshments will be offered at KEY Project location. Questions and information can be directed to Machado.

RESIDENTS' AND COMMUNITY CONCERNS:



- Neighbor Confrontations – A resident seeks assistance in resolving issues with a neighbor regarding tree removal and falling rocks on the property line, and oil dumping. It was suggested the resident document incidents with HPD and the State Department of Health and perhaps seek redress in the court system. Councilmember Dela Cruz recommended speaking with his office to gain assistance from the City Department of Planning and Permitting.
- Senator Fong's Plantation at 47-285 Pulama Road – Kawika Burgess asked the Board to place the proposed conservation easement at Senator Fong's on February's agenda.
- Waiahole Homestead Road – Gun shots were reported to HPD and DLNR; no report is available currently. DLNR Director Thielen said HPD is authorized to enter State land.
- Friends of He'eia – A Valentine's Day Tea Dance is scheduled for February 14 beginning at 2 p.m., with dance lessons at 1 p.m.
- Hunting Dogs – Kaluhiwa reported problems with hunting dogs getting loose and reported to have entered properties and killed ducks and hens. She asked for the issue to be placed on a future agenda.

INFORMATIONAL SESSION:

Honolulu Fire Department (HFD) – Captain Kong reported the following information:

- 1) December 2009 Statistics – There were 4 rubbish, 1 structure and 1 wildland fires. There were 29 medical emergency and 9 miscellaneous calls. HFD will compile specific fireworks complaints to report in the month of February.
- 2) Fire Safety Tips – In a fire, medical, or other emergency, it is critical that emergency responders quickly identify the correct location. Fire, building, United States postal codes, and City & County of Honolulu ordinances states that property owners shall place their house numbers so it is legible and readily visible from the street. This will assist the HFD and other first responders in quickly locating your house in the event of an emergency. If your property is difficult to locate and/or access, provide 9-1-1 dispatchers with additional information to assist them in locating your property during an emergency.

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

- 1) Main Breaks – There were no breaks to report for the month of December 2009.
- 2) O'ahu Potable Source Production week ending December was 144 millions gallon per day.
- 3) The Ko'olaupoko Watershed Management Plan (KWMP) – The funds for the KWMP have been released and the planning effort will resume in early 2010. Community focus group meetings have been scheduled as follows: Monday, January 25 at Waimanalo District Park; Thursday, January 28 at Kailua Elementary School Cafeteria; Wednesday, February 3 at KEY Project in Kahalu'u; and Tuesday, February 9 at Kokokahi YWCA Atherton Hall.
- 4) You can reach BWS at 748-5041 or log onto to the web at www.boardofwatersupply.com.

Questions, comments and concerns followed:

- KWMP – It is estimated \$30 million is needed for the project; funding sources are not known at this time.
- Water Supply – Conservation is the key to saving water for the future. Conservation in Honolulu has reduced demand by 10 million gallons per day. It is a challenge for BWS to monitor and service about two thousand miles of pipes on O'ahu as well as upkeep and repair broken main pipes.

Marine Corps Base Hawai'i (MCBH) – Major Crouch circulated MCBH's newsletter and reported the following information:

- 1) Hours of Operations – Monday through Thursday: 7:00 a.m. to midnight. Friday: 7:00 a.m. to 10:00 p.m. Saturday: 8:00 a.m. to 5:00 p.m. Sundays and Holidays the base is closed. Occasional jet passage in support of Lava Viper on Hawai'i Island.
- 2) News and Events – January 16: VP-9 King of the Hill 5K Run. January 16 & 17: 4th Annual Bodysurfing Championship at Pyramid Rock Beach. January 18: Marines provide a ceremonial color guard for the Martin Luther King Jr. Parade beginning at 10:00 a.m. in Waikiki. January 29: MCBH welcomes Gary Sinise and the LT Dan Band for a USO sponsored concert. February 20: CLB-3 Swamp Romp "Hawaii's Dirtiest Footrace". The above events are open to the public; log onto www.mccshawaii.com to register.
- 3) Upcoming – USMC Battle Color Detachment will be on O'ahu on March 9 – 13, 2010; in September, the Blue Angels will return and Bay Fest will take place.

- 4) Deployments – Deployed are Marine Heavy Helicopter Squadron 463; VP-47; 1st Battalion, 3rd Marine Regiment; plus other detachments and augmentees.
- 5) Maximum Decibel Levels – The most recent Aviation Compatibility Use Study that is publicly available is from 2003. The 2008 study will not be released for years. The Marines do not have maximum noise level numbers. Noise levels are derived with scientifically determined averages based on many variables, not physical measurements of maximum noise data points.

Questions, comments and concerns followed:

- Community Meeting on Noise Studies – Major Crouch will try to set up a community meeting to permit concerned members of the public to get a better description of how noise modeling is done from someone with expertise in modeling.
- Blue Angels – The Marines should not assume there will be school buses available on-island by September. They should contact the Department of Education about planned cuts in buses.

Kaneohe Bay Regional Council (KBRC) – A. Machado reported the following information:

- 1) Sunset Date – KBRC's January meeting was the best attended ever. The next meeting will be April 7, and the last meeting will be July 7, when the Council will be terminated under last session's law. Director Thielen said DLNR did not initiate the sunset law, but it faces many challenges, with only a \$23 million budget to protect all the state lands, including parks, harbors, culture resources, and waterways.
- 2) Concerns at the Bay – It will be a challenge to keep the bay clean and protected once the KBRC disbands. There is also concern regarding Kapapa Island and the wildlife it supports. The bay stands at a loss without KBRC behind conservation efforts.

TREASURER'S REPORT:

Treasurer Spray reported the City appropriated these funds for the month of December 2009, the Operating Account reflected \$175.98 for facility rental for September and October 2009, printing and postage leaving the balance at \$1,097.59, the Publicity Account balance remains at \$993, leaving the Appropriated balance at \$2,090.59.

PRESENTATIONS:

Honolulu Community Action Program (HCAP) Weatherization Assistance Program (WAP) – D. Warman reported the following:

- 1) Vision – HCAP believes that everyone should have the opportunity to contribute, to the best of his/her capabilities and share in society's social and economic well being. The WAP program is available to households on the island of O'ahu through funding from the Department of Energy through the State of Hawai'i Office of Community Services.
- 2) Recovery Act – The American Recovery and Reinvestment Act, in the context of WAP, is designed to help those most impacted by the recession, promote environmental consciousness, enhance job creation and stimulate the economy, and create infrastructure that will provide long term economic benefits to households in need.
- 3) Eligibility and Benefits – Household income below 200% of the federal poverty guidelines or if a member of the household has received TANF or SSI cash assistance payment within the past 12 months. Priority will be given to elderly, persons with disabilities, families with young children, and households with high energy burdens. Qualifying households will receive free CFL light bulbs to replace old incandescent ones, and/or a free solar water heater system. There are a total of 100 free solar water heaters available island-wide on a first come, first served basis; your home must be structurally sound to be eligible. Free in home survey by a qualified technician will provide site assessment for the free energy saving devices.
- 4) Contact – Learn more how to save money monthly by contacting HCAP at 239-5754. Applications are ongoing; the office at 47-232 Waihe'e Road serves the Kaha'u'u district.

Proposed Envision La'ie (EL) Development at Malaekahana –

- 1) La'ie Residents' Concerns - Honolulu's General Plan directs growth to the second city in 'Ewa and encourages the preservation of agriculture land in Windward O'ahu. This plan has directed the spending of

our tax dollars for infrastructure, schools, etc. for many years. The Ko'olauloa Sustainable Communities Plan (KSCP) maintains and enhances the manmade and natural elements that make Ko'olauloa's rural character so special, in contrast to urban O'ahu, while allowing for affordable housing on land previously rezoned for this use in La'ie and other areas. The EL process is funded and promoted by the LDS Church and its subsidiaries. The only thing EL provides that is not provided in the current plan for La'ie is income producing properties such as market housing and commercial uses. No attention is paid to impacts on the neighboring communities. At community workshops, a major spokesman for the plan said the communities on either end of the Sustainable Communities Plan area were against any growth in La'ie. This despite the fact that these communities have long supported meeting the need for affordable housing in La'ie, which has had land designated for this use for more than 20 years, with no housing being built. The expansion would create a new town of Malaekahana, resulting in the urbanization of state designated, usable agricultural land. The projected population in La'ie would double by 2035 and would be more than double the projected increase in population for the entire Ko'olauloa area. The impact on our infrastructure and resources would be considerable without an infusion of tax dollars currently designated to 'Ewa. The development plan admits that a new school would be needed while the State Department is proposing to close rural schools to support new schools in 'Ewa. Envision La'ie is not a sustainable community plan; it is an urbanization plan and would require an amendment to the General Plan (GP) as well as a boundary review by the State Land Use commission and would negate over 20 years of planning and tax dollar allocation. The proposal exceeds the population density defined in the O'ahu GP, and there are many concerns about the adequacy of the two lane Kamehameha Highway (KH) serving the North Shore. The 1,200 proposed homes on pasture land and the planned 200-plus room hotel near the Polynesian Cultural Center (PCC) runs counter to the rural nature of the area.

Questions, comments and concerns followed:

- Housing Shortage – The 1,250 homes would house faculty and staff at the church-owned PCC, not existing families in the area, housing prices would be set at about 80 percent affordable and 20 percent at market value, and “affordable” houses would be only lease, not fee. The plan will require changes in the city planning and zoning and State land use classifications. The church has grown and within the next 20 years, it will not be able to sustain itself. Affordable housing should be built on the land already set aside for that purpose.
- Hawaii Reserves Inc. (HRI) – HRI, which manages PCC, needs to go to the LUC for rezoning, but will not do so until the Sustainable Community Plan, which is currently in draft form at the Department of Planning and Permitting (DPP), has been approved. Some residents feel HRI has not done sufficient studies of how proposed growth would affect area communities; no studies have been done regarding traffic on KH.
- Kuleana Lands – Kuleana land owners are concerned their family lands would be taken to link the new development to La'ie.
- Main Motion – **Kaluhiwa moved and Machado seconded that the Kahalu'u Neighborhood Board No. 29 was opposed to any major development in Malaekahana.** There was a suggestion to defer the item to the February agenda for further discussion following a presentation by HRI.
- Amendment to Motion – **Kaluhiwa moved and Machado seconded to amend the motion to include objections to the failure over the past twenty years to develop the necessary infrastructure on the Windward side such as schools, hospitals, ambulances, police, water, etc. to support the project, and that the project violates the General Plan, which was adopted based on community input.** The amendment to the motion **WAS** adopted; 10-0-3. (Aye: Geboski, Gomes, Henkin, Hoe, Kaluhiwa, Loo, Machado, Salas, Spray and Valencia. Abstain: Busch, LeVasseur and Nuss). The main motion as amended **WAS** adopted; 8-1-4. (Aye: Geboski, Gomes, Hoe, Kaluhiwa, Loo, Machado, Salas, and Valencia. No: Spray. Abstain: Busch, Henkin, LeVasseur, and Nuss).

He'eia State Park Lease –

- 1) Kama'aina Kids (KK) – The mission of the program is to serve children and their families by providing ongoing quality education and enrichment programs teaching a sense of self, community and the earth. Currently, there are five employees at the park which includes the public pavilion, education center, marine activity center, and banquet hall.
- 2) New Designs, Programs and Staff – KK will tap into relationships with the community to fundraise and form outreach support groups to continue its 20 years of programs at the park. KK hopes to create a revenue system to sustain the park and programs including sailing, canoeing and snorkeling. The park currently has

on staff a park manager, ranger, groundskeeper, guide and security. KK is dedicated to supporting the park with keeping the roots to He'eia State Park through its service projects and commitment to the community.

Questions, comments and concerns followed:

- Community Concerns – The community was concerned that KK plans to build a retreat and conference center at the park and that the chosen site for those facilities would be under water at high tide. There are also 'iwi kupuna (burials), a heiau, and other cultural sites that must be preserved, none of which has been addressed by KK and the State. There have been no awareness and safety plans released for the 200 plus children currently using the park. The plan to give the State a five percent “kickback” was questioned as improper. Concerns were raised about privatizing state facilities, even though the legislature rejected the Recreational Renaissance plan, that the park would be converted into a tourist facility, and that KK's facilities and programs would not be affordable to the local public.

At 9:55 P.M. a recess was called to bring order back to the meeting following an outburst by J. Anthony and his refusal to yield the floor. The meeting was called back to order at 9:57 p.m.

At 10:00 p.m. Neighborhood Assistant, M. Chanel-Benjamin left the meeting; Secretary Geboski to continue the documentation of the Board meeting in absence of the NA, M. Chanel-Benjamin.

- State Budget – Director Thielen said the budget for the entire state park system (with 69 parks and reserves) is less than \$5 million, with less than two people to manage each park. The State does not have enough money now to do everything they want at He'eia State Park (HSP), but she insisted that the state is offering the same criteria for management to KK that was offered to Friends of HSP. She said she hopes that Friends of HSP and KK can work together to make this the best park that can be.
- Environmental Review – Lasseur asked if an environmental impact statement, cultural assessment, or any other regulatory requirements had been done for this proposal. Thielen said that such requirements would have to be met by any proposal. Thielen insisted that HSP had already been under a lease, and was just opening lease bids to competitors. She insisted that the decision to award was based only on criteria listed in the bid, that there are no guarantees that the Land Board would offer subsequent approval, and that likelihood of subsequent regulatory approval was not part of the bid approval process. Thielen also said that the new proposal sets no precedents, and insisted that nothing at the park will change, and that anyone can come into the park, just like now.
- Main Motion – **Geboski moved and Kaluhiwa seconded the following: As the Kahalu'u Neighborhood Board opposes the privatization of public lands, supports the preservation of Hawaiian cultural heritage sites, and supports the protection of Kane'ohe Bay, and as we find the proposal by Kama'aina Kids to take over management of He'eia State Park does not meet these concerns, the Kahalu'u Neighborhood Board opposes the awarding of the He'eia State Park contract to Kama'aina Kids, as currently presented.** Objection was made to the reference to “privatization of public lands.”
- Amendment to Motion – **Geboski moved and LeVasseur seconded to amend the motion to delete the phrase “opposes the privatization of public lands.”** The amendment to the motion **WAS** adopted; 11-0-2 (Aye: Busch, Geboski, Gomes, Hoe, Kaluhiwa, LeVasseur, Loo, Machado, Nuss, Salas and Spray. Abstain: Henkin and Valencia). The main motion as amended **WAS** adopted; 8-2-3 (Aye: Geboski, Hoe, Kaluhiwa, LeVasseur, Loo, Machado, Salas, and Valencia. No: Busch and Spray. Abstain: Gomes, Henkin and Nuss).

(Salas left at 10:55 p.m.; twelve members present)

Update on Pulama Bypass CIP Project – Councilmember Dela Cruz reported the following:

- 1) Department of Transportation Services (DTS) is currently in the process of selecting a planning consultant to do an environmental assessment (EA). The consultant should be hired by April 2010, and DTS expects the EA process to take 6-9 months.
- 2) The EA will determine whether the process would require an Environmental Impact Statement and will also provide the estimated project cost.

Questions, comments and concerns followed:

- LeVasseur expressed concerns that the bypass not be made too wide. Dela Cruz responded that the EA would look at all such factors.

Transportation-Oriented Development– Councilmember Dela Cruz reported the following:

- 1) Transportation-Oriented Development (TOD) would help keep the country country, save money by using existing infrastructure to support increased density, promote mixed use, and allow for biking and walking paths.
- 2) The rail system will need 95,000 riders to break even, so we will need 95,000 residents in TOD communities. The rail will allow transfers to the bus system, so anyone with a job anywhere along a bus route can use it.

Questions, comments and concerns followed:

- Questions were raised why the benefits of TOD could not be realized without spending \$6 billion on rail. Dela Cruz said the City lacks the political will to promote TOD without the rail.

BUSINESS AND REPORTS:

Council Member Dela Cruz's report – Councilmember Dela Cruz reported the following information:

- 1) Transit Authority – On December 16, 2009, the City Council approved a resolution to include a question on the 2010 general election ballot asking if the City should create a public transit authority. The authority would be the governing body over the construction of the City's rail transit system. Upon completion of construction, the authority would be in charge of operating and maintaining the system. The authority's powers would include condemnation, with the Council's approval. If the Council did not act on a proposed condemnation within 45 days, it would be automatically approved.
- 2) Bill 78 (Public Infrastructure) - Relating to bulky wastes – The Mayor's proposed trash fee bill did not leave committee.
- 3) Bill 79 (Public Safety and Services) - Relating to the naming of City parks, sites and facilities – The Council held a measure that would allow City parks to be named after a living US President born in Hawai'i.
- 4) Aloha 'Aina Day – Castle High School will hold an Aloha 'Aina Day event on January 23; bring recyclables.
- 5) Kama'aina of the Year – Machado was presented with a certificate as "Kama'aina of the Year."

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

- 1) Bus Services – The City has no plans to offer supplemental bus services to school children as that would jeopardize federal funding.
- 2) Waihe'e Marsh – It costs the City \$150,000 to clear vegetation from the marsh.
- 3) Trash Dumping – The owner of 48-218 Kamehameha Highway was contacted regarding trash complaints. The City will cite the owner if the trash is not moved. Regarding a complaint of a dumped bed at He'eia pier, Martin went by and picked it up himself.
- 4) Speeding at 'Ahuimanu Place – DTS is studying excessive speeding and will propose remedies to the Board by April.
- 5) Kahalu'u Regional Park – The city is looking for a volunteer to lock up the gates at the park regularly. Machado volunteered. Drainage holes were cleaned on December 24.

Questions, comments and concerns followed:

- Machado reported that potholes on Kamehameha IV Road have damaged his car. Martin will check whether it belongs to the City or State.
- Spray asked if the City could get prison labor to help clean the makai portion of Waihe'e marsh. Martin replied that such labor was in high demand, but that he would look into it.

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

- 1) Opening Day – Due to the budget crisis, the Legislature's Opening Day on January 20 would be low key. Residents are invited to come by any time.
- 2) Bills – January 13 was the first day to introduce bills. Residents should be sure to communicate concerns.

Questions, comments and concerns followed:

- Machado and Kaluhiwa praised Wooley for doing an outstanding job as a freshman legislator.
- Valencia asked Wooley to look into privatization of state lands like at He'eia State Park.
- Gomes urged legislators to find innovative ways to get money back to the general fund, preferably without raising the GET.

AGENDA ITEMS FOR NEXT BOARD 2009 MEETING:

The consensus of the Board was to invite HRI to make a short, follow-up presentation on the Envision La'ie development and to include on the agenda presentations on the proposed conservation easement at Senator Fong's Plantation, proposed rulemaking regarding Kapapa Island, and the Ko'olaupoko Hawaiian Civic Club's Ahupua'a Boundary Marker project.

In the interest of keeping Board meetings to a reasonable length, the consensus of the Board was for Chair Henkin strictly to limit speakers to two minutes for their first comment/question on an agenda item; with a possible one minute follow-up (time permitting) after all other speakers have spoken once to an agenda item. Kaluhiwa volunteered to act as timer.

(Valencia left at 11:55 p.m.; eleven members present).

APPROVAL OF THE REGULAR MEETING MINUTES:

Due to the late hour, approval of the December 2009 meeting minutes was deferred to the February 2010 meeting.

ADJOURNMENT: Chair Henkin adjourned the meeting at 11:57 p.m.

Submitted by M. Chanel-Benjamin

Reviewed by Chair Henkin