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AUG 08 2019

Ms. Diane Harding, President  
The Lani-Kailua Outdoor Circle  
P.O. Box 261  
Kailua, Hawai'i 96734

Dear Ms. Harding:

**Subject: Kawainui-Hāmākua Master Plan Project  
Draft Environmental Impact Statement  
Kailua, O'ahu, Hawai'i**

Thank you for your letter dated January 22, 2018 providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses that have been organized under numbered headings corresponding to your comments.

1. *We support the Kawainui-Hamakua Master Plan Project stated goals that provide for:*
  - *Natural Resource Restoration and Habitat Enhancement*
  - *Cultural Practices and Stewardship*
  - *Public Access for Outdoor Recreation and Educational Opportunities*
  - *Resource Management.*

*We also support the Plan's underlying goal of allowing public/private partnership and stewardship activity to continue and flourish there. However, The Lani-Kailua Outdoor Circle would like to go on record as opposing the current Kawainui-Hamakua Master Plan Project, as described in the November 2017 DEIS, for the following reasons:*

Response: We appreciate your support for project objectives concerning: 1) natural resource restoration and habitat enhancement; 2) cultural practices and stewardship; 3) public access for outdoor recreation and educational opportunities; 4) resource management; 5) allowing public-private partnerships; and 6) stewardship activities to continue and expand within the project site. We have provided responses to address your comments expressing concerns with other components of the project.

2. *Concern #1: Project Scale*  
*The Project scale, as presented in the DEIS, is too large, and the potential impacts of provisions in the plan would be large as well. We feel:*

Response: We acknowledge your concern with the scale of the project being “too large”. However, the Division of Forestry and Wildlife (DOFAW) and the Division of State Parks (DSP) do not believe the scale of the project is too large. Overall, project improvements are modest given the large upland area available, and are reasonable to meet project needs and objectives.

Due to community concerns generally expressed with increasing public access and visitors, several improvements initially proposed in the DEIS to support these activities have been removed from the proposed project. This includes portions of the pedestrian trail and the hale wa‘a at the Kalāheo site, and revised text explaining this change in the Final EIS (FEIS) is attached to this letter. Structures associated with the built environment total a little over one acre in size (about 48,300 sf) and would be dispersed in designated areas across about 66 acres of upland area. In addition, DSP is considering implementing scaled-back improvements as an interim facility for the education center consisting of just parking, restroom, and an open pavilion at Pōhakea to focus more on programs support. These changes would significantly reduce the projected number of visitors.

In contrast, the Kūkanono subdivision development adjacent to Kawainui’s wetland has over 130 residential structures and about 460,000 square feet of building footprint, not to mention associated roads and driveways. Therefore, in comparison, the Kūkanono subdivision above Kawainui would be considered far more intrusive on the environment and appropriately characterize as a “large” development. However, the DEIS shows that such large scale urban residential development along Kawainui has not adversely impacted this resource, especially with regard to runoff and water quality, and the proposed project would similarly not either.

- a. *The planners' implementation of "LWCF 6(f) requirements that necessitate increased public access and outdoor recreational activities based upon DSP coordination with the National Park Service" is too broad. Having to provide public access and recreational activities should not require the installation of miles of trails as provided in the plan. Yes, provision for a minimal trail system with viewing platforms is needed.*

Response: DSP disagrees that the proposed project improvements supporting federal LWCF 6(f) requirements are too broad. Pedestrian and foot trails proposed are within reasonable upland areas that DOFAW and DSP can manage, and are necessary to improve public access and outdoor recreation. With elimination of some sections of the pedestrian trail, the only remaining sections would now be along upland areas from Kahanaiki to Nā Pōhaku and from Ulupō Heiau to DOFAW’s management station. What you consider a “minimal trail system” is not explained or justified. DOFAW and DSP believe the revised areas proposed for the pedestrian trail are reasonable and the various minimization and mitigative measures discussed in the DEIS address community issues with visitor and public access.

- b. *The planners' implementation providing for educational opportunities and native Hawaiian cultural practices, (as per Article XII of the Hawaii State Constitution), is too broad, and ignores public input asking that more environmentally friendly structures and facilities be built. State and Federal regulations do not require that hardscape structures be built in order provide for these practices. Yes, provisions for*



*support facilities are necessary to this stewardship activity, but not the extensive multi-acre multi-structure 'centers' provided for in the plan.*

Response: We disagree with your opinion that project improvements supporting educational programs and native Hawaiian cultural practices are “too broad.” As discussed in Section 2.2.2, structures proposed would be environmentally friendly. Proposed locations with building footprints are shown on site plans, and other information is provided to evaluate structure characteristics and activities. Buildings proposed are intended to reflect traditional and sustainable design elements, and incorporate Leadership in Energy and Environmental Design (LEED) concepts or other similar sustainable building guidelines. Low impact design (LID) elements such as bioswales, bioretention areas, and rain catchment systems would also be considered in project design.

The project does reflect considering public input as improvements have been scaled back considerably since the EIS Preparation Notice. Some comments received from the community, such as your organization, feel that less buildings and more “environmentally friendly” structures should be proposed instead. However, other comments from the community support proposed plans. As discussed in Section 2.2.2, the ultimate design for buildings and structures would be determined by the selected non-profit organization during their design process. Nevertheless, the impacts from such facilities would not adversely impact the environment as discussed in several sections of the DEIS, and they would provide beneficial effects supporting cultural, educational, and stewardship opportunities.

Federal regulations are not applicable to the sites proposed for cultural centers. State regulations do not prevent such structures from being constructed. Cultural center plans are reasonable and would not adversely impact the environment based upon the DEIS analysis. Structures associated with the cultural centers would total only about 17,000 square feet of floor area, which does not reflect “extensive multi-acre” structures.

- c. *The potential irreparable degradation of this fragile natural resource, due to construction at multiple sites around the marsh perimeter, are just not acceptable. It is troubling to see statements such as "Design features can be incorporated to minimize site disturbance and reduce erosion potential" p.8, or "the education center is proposed on a sloped area and is envisioned to be built with post-and-pier construction to minimize ground modification" p. 8. These do not indicate that this is what would/could actually occur, and add to our concern that the cumulative impacts of this multi-site construction will, over time, result in the degradation of this important resource.*

Response: It should be clarified that the wetlands of Kawainui are not a pristine or fragile resource. The ecological character of Kawainui is currently a degraded resource that needs wetland restoration and upland reforestation efforts. Upland areas where cultural centers and other structures are proposed consist of previously disturbed areas (e.g. City baseyard, ranching). The DEIS demonstrates that such improvements would not adversely impact the environment, and various best management practices and other measures are proposed to further minimize effects. As discussed, the surrounding Kūkanono subdivision development is far more intrusive and extensive, however,



Kawainui has not been adversely impacted from such large scale urban residential development. The wetlands of Kawainui and Hāmākua naturally function as large basin traps for particulates, assimilation and recycling of nutrients, and sequestering of pollutants from waters discharged from streams, drainage systems, and upland surface runoff.

We do not believe statements regarding design features to minimize disturbances are troubling. The design of actual improvements would be conducted when implemented, and it is correct that design features can be incorporated into those plans to minimize effects or that the education center could be built using post-and-pier construction. All design plans would be reviewed by DOFAW or DSP, as appropriate, and subject to pertinent regulatory requirements and ministerial permits.

It is also noted that the statements referenced are from the Executive Summary of the DEIS, which is intended to provide a brief description of the proposed action because a more detailed description of the action is provided in a separate chapter. Section 2.2.4 of the DEIS states that the post-and-pier design is proposed for the education center. The project description (Section 2.2) includes more details and does state what is proposed and is sufficient to identify impacts. As discussed in the DEIS, these improvements would not result in a cumulative adverse impact on the resource.

- d. *The projected 20-year phased implementation should not be covered by a single all-encompassing EIS. Further, it appears that the RFP process to select site stewardship proprietors will not have any provision for public input regarding the real nature and scope of any construction that may occur. We are troubled by statements such as the following that are sprinkled throughout the plan: "Specific best management practices and strategies used would be determined during the design phase of improvements".*

Response: It is appropriate that the entire project be covered under a single EIS document as required under the State's environmental regulations. A 20-year timeframe is used to address the long-term effects of the project as improvements would be phased for implementation during this time period.

The RFP process would include requests for sufficient information from applicants, and would adequately identify the scope of improvements and activities that would be allowed. Thus, there would not be any questions or concerns related to what can be implemented under the RFP solicitation. Such RFP or RFQ processes are implemented regularly by State and City agencies for projects and improvements. Selection of non-profit organizations under this process would require Land Board approval, therefore, the public would have the opportunity to provide input concerning the nature or scope of the improvement during land board proceedings.

Regarding best management practices; specific measures and practices would be determined during the design phase of improvements. Various types of measures that could be implemented were identified in Chapter 2 or specific impact sections of the DEIS. Furthermore, agency review of design plans and ministerial permits obtained would review detailed measures to ensure the project complies with applicable regulations and requirements.



3. *Concern #2: Lack of full examination and consideration of proposed Alternative Plans*  
*The overwhelming majority of public input (as evident in Appendix A of the DEIS), has been largely ignored.*

Response: We disagree with your opinion that the overwhelming majority of public input has been largely ignored. We also disagree that the input considered has just been from a small contingent of organizations. Based upon community input, the project has been scaled back to reduce areas initially proposed for public access. Other reductions are discussed in the response to No. 2, above. The State also needs to consider the broader public interest because this is state resource for the benefit of all.

- a. *The input that has been considered appears to be confined to a small contingent of private organizations, including those that have been working on design plans and have indicated their readiness to pay for buildings and have the funding to do so. This is not to say that said input is invalid. It is simply to note that the range of alternatives presented in the DEIS, has not been rigorously explored or objectively evaluated, nor has the extent of community support of these alternative ideas been given its due weight and consideration.*

Response: We disagree that input has been confined to a small contingent of organizations. The planning process for this project has been ongoing since late 2010, and significant volume of public input has been received. There has been considerable effort to notify the Kailua community about this project. Outreach activities included five public informational meetings (legal notices published), several smaller community and stakeholder meetings, Kailua Neighborhood Board (KNB) presentations and discussions, and several meetings with the Ho'olaulima group comprised of a diverse group of organizations. In addition, a public website on the project has been available, social media was used to spread information throughout the community, and there has been frequent media coverage over the years. The DEIS included information on all these consultation efforts.

Alternatives raised by the community have been explored, considered and objectively evaluated. This is discussed in Section 2.3 of the DEIS. Most input on alternatives was supportive of wetland restoration, upland reforestation, and management of these resources. Concerned comments have focused on the issue of public access and visitors that may be attracted to the site. Alternatives need to meet the purpose and objectives of the project. Some suggestions did not satisfactorily achieve that requirement. There was some community support for certain elements of alternatives raised. However, other community input opposed those alternatives, and there has been community input supporting proposed project plans. Nevertheless, DOFAW and DSP appreciate the input received, which is included in Appendix A of the FEIS. Project modifications have been made to address concerns. However, consideration of alternatives is not based upon popularity, but upon whether such suggestions better meet the project need, objectives, and agency mission compared to impacts that might result from the proposed project. The State also needs to consider the interests of the broader public from a statewide perspective when evaluating alternatives because this is a resource for all residents of Hawai'i.



- b. *Section 1502.14 of NEPA requires the EIS to examine all reasonable alternatives to the proposal. In particular, dismissing our LKOC Alternative Plan at this level of the process, and not including it as an Alternative to be considered for inclusion in the EIS, foregoes the opportunity for a decision maker to consider it over the "preferred alternative", which we believe is more environmentally harmful. Section 1502.14(b) specifically requires that each alternative be given "substantial treatment" in the EIS.*

Response: The Federal National Environmental Policy Act (NEPA), which includes your references to Sections 1502.14 and 1502.14(b), is not applicable to this project. This environmental review process and DEIS have been prepared under State regulations (Chapter 343, HRS) as discussed in Section 1.1.1. Reasonable alternatives have been considered and addressed under Section 2.3 of the DEIS in accordance with State regulations, and as explained in our prior response.

The Lani-Kailua Outdoor Circle's (LKOC) proposed Alternative Plan (Alternative Plan) was described in your October 24, 2016 comment letter on the EISPN. A response letter was provided to the LKOC addressing this alternative plan, and these letters were included in Appendix A of the DEIS. Although you believe the LKOC's alternatives would be less environmentally harmful, they do not adequately support the project purpose and objectives. Furthermore, the results of the DEIS show that the proposed project would not have significant adverse impacts on the environment, and several management measures were identified to address concerns with public access and visitors along with other best management practices to minimize impacts. The FEIS will include discussion of the LKOC's Alternative Plan in Section 2.3. Revised text is attached to this letter.

Some of the themes proposed by LKOC's Alternative Plan are consistent with major components of the proposed project, such as wetland restoration, upland reforestation, and enhancing habitat for endangered waterbirds. Therefore, the project supports portions of the Alternative Plan. However, other suggestions do not practicably support important components of the purpose and need for the project, the State's mission, the need to provide reasonable public access for all, nor do they support Ramsar objectives. Several elements of the LKOC's Alternative Plan provide restricted, limited, and superficial access for the public. Although the Alternative Plan supports preservation of historic and cultural resources, it does not provide many suggestions that support reasonable and practicable opportunities for non-profit organizations and cultural practitioners to establish a permanent presence in this area to support and conduct cultural practices, educational programs, and stewardship. The justification for smaller scale improvements is to avoid negative impacts on Kawainui and Hāmākua's wetlands, watershed, waterbird habitat, and archaeological sites. However, the scale of improvements are reasonable, and the DEIS analysis shows improvements would not have an adverse effect on these areas. The project also does not provide privately-owned, for-profit commercial operations or activities for visitors, and commercial tour buses are not being accommodated within areas. Consequently, these other components of the Alternative Plan were considered, but eliminated from further consideration.



- c. *As stated in the DEIS (p. 2-108), the two Alternatives considered (from Ho'olaulima and Kailua Neighborhood Board) were eliminated because they were seen as: "eliminating most if not all reasonable public access and support facilities within the project site, and providing minimal support for cultural practices". We object to this conclusion, and would like to see those proposals (along with ours) given the "substantial treatment" they deserve.*

Response: We acknowledge your opposition to the elimination of alternatives proposed by Ho'olaulima and the Kailua Neighborhood Board. However, the reasons they were eliminated were discussed in Section 2.3 of the DEIS. As responded previously, those alternatives do eliminate most reasonable public access and support facilities, and have minimal support for cultural practices. The LKOC and other alternatives suggested were thus properly considered and evaluated, but were eliminated for important reasons. Although your organization supports these alternatives, there were several comments that opposed them.

- 1) *The LKOC Alternative Plan was not addressed in the list of other Alternatives Considered" (2-108), although its recommendations addressed all of the project's purpose and need, regarding allowing for cultural activities, public access, and wetland restoration, and were feasible and practical to implement from a technical and economic standpoint. (Note: the LKOC Alternative Plan can be found in Appendix A, pp. 874-886.)*

*LKOC's Alternative Plan supports educational research, stewardship activities and service learning projects and would require less financial support from the legislature. When support is available, our Alternative would direct financial resources to DOFAW facility maintenance, restoration of the wetland and rehabilitation of the streams flowing into it. LKOC's Alternative supports most of the Natural Resource Management Activities listed in the DEIS, including the removal of invasive vegetation covering the wetland and the creation of additional wetland areas. It differs from the agency's preferred plan in that it only supports facilities that are necessary for maintenance and restoration of the wetland, including the riparian upland slopes surrounding the wetland. It provides for traditional hale and storage sheds that support traditional cultural practices, as well as open-air shelters for educational programs and visitor orientation. Our Alternative proposes trails in designated areas to support recreational uses such as birdwatching, photography and hiking.*

Response: The EISPN response letter to your organization addressed your alternative, and discussion of the LKOC alternative has been added to Section 2.3 of the FEIS as discussed in response No. 3.b. We do not agree that the LKOC alternative adequately supports the purpose and need for the project for reasons previously discussed (e.g. providing restricted, limited, and superficial access for the public). Project improvements are feasible and practicable to implement from a technical and economic standpoint based upon the information included in the DEIS.

LKOC's plan does support educational programs and stewardship activities, but does not provide reasonable and sufficient support facilities for those activities, and



proposes unreasonable restrictions on public access. For example, suggesting to allow only a once a year opportunity for the general public to visit the Kahanaiki area under staff-led tours does not support reasonable public access, LWCF requirements, or the project need and objectives.

DOFAW and DSP are confident they can obtain financial support for project improvements, and have been receiving such support over the years. DSP may proceed with more modest interim improvements at Pōhakea instead of the educational center, which would allow such improvements to be implemented sooner. Development of the cultural centers at Kapa'a and Wai'auia would be funded by selected non-profit organizations, which does not require State funding. State funding support for restoration efforts and DOFAW's management station are already identified and would be phased over time, which is not changed by LKOC's suggestions.

We agree that LKOC's alternative supports natural resource management activities, and the project is consistent with improvements proposed to meet those objectives. However, as you state, LKOC's suggestions provide minimal support facilities for public access, visitors, and even less facilities supporting native Hawaiian cultural practices. Suggestions (hale and storage shed) to support cultural practices are inappropriate and do not reasonably support cultural practices and other activities because they only provide superficial support for temporary access.

- 2) *We feel that Ho'olaulima's recommendations were not given adequate consideration nor any weight given to the scope of their community involvement: 6 community meetings (one in each of Kailua's neighborhoods that would be impacted by the plan). These meetings were sponsored by State Parks and DOFAW (with resource support from the National Parks Service) and the public told that they had a voice in the outcome.*

Response: We disagree with your opinion on Ho'olaulima's recommendations because they were considered and discussed in Section 2.3 in detail. Alternative sites for the education center were not feasible or practicable because they suggested using privately-owned properties (commercial businesses along Hāmākua Drive, a commercial building, and a boating business). The proposed project is for State-owned properties under DOFAW and DSP jurisdiction. Using sites that alternative proposed would involve the displacement of existing commercial businesses which is not justifiable as a prudent and practicable alternative for DSP. Other alternative sites suggested are also separated from Kawainui and would not adequately support the education center's purpose to provide visitor orientation, guidance of restrictions, etc.

We appreciate the efforts Ho'olaulima initiated in conducting community meetings and getting community input. However, the review of their alternative suggestions still need to be evaluated based upon the project purpose and objectives like all other alternatives. We also need to clarify that DOFAW and DSP were not "sponsors" of Ho'olaulima's efforts and recommendations, and the State did not



adopt or endorse their recommendations. Those efforts were initiated by certain community organizations, with support from a staff from the National Park Service.

- 3) *The Community Alternative Plan approved by the Kailua Neighborhood Board and other organizations is not identified by name and is wrongly named the "Kailua Neighborhood Board Recommendations". The Alternative we speak of is entitled, "Kawainui Marsh Restoration: Priorities, Protocols, Participation, and Plan, Hawaiian Community Perspective". It was written by a member of the Hawaiian community and a member of the non-Hawaiian community, in consultation with other community members, and presented to, and approved by the Kailua Neighborhood in 2013. It was later challenged by some Hawaiians who said it did not represent their position, and they referred to it as "The Kailua Neighborhood Board Alternative". It should be identified by its original title in the DEIS. This would better reflect the actual extent of community input that went in to developing the alternative, and the weight which it should be afforded.*

Response: Section 2.3.4 will be revised to reflect the name indicated for "The Community Plan" that was supported by the KNB. Revised text is attached to this letter.

We received background information associated with the plan's development from the KNB that has also been added to the FEIS. The KNB stated that the former Chair of the KNB worked on developing the plan. We do note that the former President of the Kailua Hawaiian Civic Club worked with the former KNB Chair to develop the plan. However, that plan was, and is, not supported by the Kailua Hawaiian Civic Club. We also note your comment that some native Hawaiians similarly stated that the alternative plan did not represent their position on this project. The KNB also commented that The Community Plan was only presented to certain community organizations identified that have been opposed to the proposed project, and was not widely circulated in its development.

This alternative was discussed in Section 2.3 of the DEIS, and we appreciate the effort made in developing The Community Plan, which supports restoration, preservation and maintenance of Kawainui. However, there were significant differences regarding interpretive facilities and support features recommended, along with not supporting establishment of a permanent cultural presence at Kawainui. Key elements of the purpose and need for the proposed project are improving public access and outdoor recreation, which were not met by this alternative. There was also insufficient accommodation proposed for any reasonable public access, which was also addressed in prior responses.

- 4) *Additionally, according to the DEIS p. 2-110, this proposed alternative appears to have been dismissed based largely on the following subjective criteria:*

Response: Your comments referring to page 2-110 of the DEIS refer to discussion of the KNB's Community Plan alternative. Certain elements of that Community Plan are consistent with the proposed project. However, Section 2.3 addresses the basis for eliminating other elements of that plan. Given the nature of evaluating such alternative suggestions, the criteria used were reasonable and not subjective.



It is noted that the Community Plan did not provide objective or quantitative data to justify and support why concepts better met the project purpose and objectives. A response to your bulleted comments is provided below.

- a) *It "does not provide a reasonable alternative to support cultural practices" (by whose 'reasonable' definition?), and*

Response: "Reasonable" represents having fair, sensible, and logical judgement in determining what is appropriate. The Community Plan proposed no facilities supporting cultural practices at Kapa'a, Wai'auia, and Pōhakea. Only a hula mound was proposed for Wai'auia, which is not a reasonable alternative.

- b) *It "conflicts with both DOFAW and DSP core agency mission objectives for protecting and managing cultural resources" (in what way does limiting new construction of hardscape structures conflict with protecting and managing cultural resources?), and*

Response: The alternative does not limit, rather it prohibits, any new structures to support cultural practices, and makes it difficult and unreasonable to support cultural practices. As discussed in Section 2.2 of the DEIS, the areas proposed for cultural centers would support and assist DOFAW in stewardship of areas and Kawainui's cultural landscape. Permanent facilities would also better support educational programs and stewardship opportunities at the designated sites. Under Article XII of the State Constitution, supporting traditional and customary rights of native Hawaiians for cultural purposes is required, and part of agency missions. The purpose for the project is to support cultural practices by allowing centers to be developed at designated areas. The DEIS results show that such "hardscape structures" would not have an adverse effect on the environment, are sited in previously disturbed areas, and would not significantly impact historic sites or cultural resources. Therefore, it is reasonable for such facilities to accommodate and support cultural practices and practitioners.

- c) *It "does not support traditional and customary rights of native Hawaiian's for cultural purposes under Article XII of the State Constitution" (again, how does limiting modern structures, in favor of providing for more appropriate environmentally conscious construction, while still allowing cultural practices to occur, not support the rights of native Hawaiians for cultural purposes?).*

Response: The alternative proposes no facilities, and thus does not support, cultural practices or provide a permanent presence at Kawainui given its cultural significance to the native Hawaiian community. There are no "environmentally conscious" alternative structures proposed for construction to support cultural practices. A hula mound does not support cultural practices intended for areas under the project objectives. Based upon the DEIS results, such structures and activities are reasonable, would not adversely impact the environment, and are appropriate at designated areas.

- d. *Therefore, we feel a proper evaluation of Plan Alternatives was not included in the DEIS. We feel that the 'preferred alternative' given in the DEIS is not the 'environmentally preferable' one that best protects, preserves and enhances historic,*



*cultural and natural resources, and is supported by a large contingent in the community, but, rather, it is one slanted to support its own alternative over reasonable and feasible other alternatives. We request an opportunity to present LKOC's environmentally preferable alternative, and subject it to the degree of analysis given to the proposed action.*

Response: Proper evaluation of alternatives, such as the Community Plan and LKOC alternative, occurred, as presented in Section 2.3 of the DEIS with additional information added in the FEIS as discussed in response No. 3.b. The reasons supporting why certain elements of those alternative plans were not appropriate are discussed in the DEIS and our prior responses. Those alternatives prohibit new structures to support cultural practices, make it difficult and unreasonable to accommodate cultural practices and activities, and does not support reasonable public access and outdoor recreation. Those alternatives do support your concerns and opposition to visitors and public access at Kawainui, but do not adequately support the project need and objectives. Although you may feel the proposed project is not an "environmentally preferable" solution, it is a reasonable proposal that better meets the project need and objectives, and would not have an adverse effect on the environment based upon DEIS results. Furthermore, elements of the proposed project have been reduced (e.g. pedestrian trails), the DEIS discusses management actions to address visitors and public access, and other best management practices and measures have been identified to further minimize effects.

Project improvements would support improving natural resources (e.g. wetland restoration, waterbird habitat enhancement), and cultural centers would greatly enhance cultural practices and increase stewardship of areas that support natural and cultural resources. While there may be some support in the community for the LKOC and KNB alternatives, there are also many in the community that support the proposed project and are opposed to those alternative plans. For example, the Association of Hawaiian Civic Clubs (AHCC) comprised of 58 clubs and several thousand members statewide unanimously supported this project at their 2014 annual convention through adoption of AHCC Resolution 14-36. Furthermore, the State needs to consider the interests of the broader public from a statewide perspective when evaluating alternatives because this is a resource for all residents of Hawai'i. We disagree that the DEIS did not consider other reasonable and feasible alternatives, and this was discussed in our responses addressing the importance of the project need, reduction in project improvements, and why components of other alternatives were not acceptable.

We appreciate your request to present LKOC's alternative, however, we are clear in understanding what is proposed under that alternative, and a presentation is not necessary. LKOC's position on this project and proposed improvements have been made clear based upon the prior comment letters and input received from representatives at informational meetings, Ho'olaulima meetings, etc. As already stated, several of the LKOC's Alternative Plan concepts are already consistent with major components of the proposed project, such as wetland restoration, upland reforestation, and enhancing habitat for endangered waterbirds. However, other suggestions do not practicably support important elements of the purpose and need for



the project, the State's missions, the need to provide reasonable public access for all, nor do they support Ramsar objectives, and cultural practices. Those components instead provide only restricted, very limited, and superficial access for the public.

4. *Concern #3: Lack of full examination and consideration of Community Input*

*The current plan, as presented, leaves many of us who favor restoration and protection of the marsh over extensive development questioning whether the process utilized to solicit and evaluate public input was inadequate and/or flawed. The Kailua Neighborhood Board made this same assessment back in 2013. Has anything changed?*

*As further evidence of the planners' unresponsiveness to community input, the Plan has not changed significantly, since originally presented in 2014, to be reflective of vast community input in opposition to the damaging effects of structures, parking lots, and trails, and vast community concern regarding security, on-going maintenance, and management of visitor access. In the currently presented Plan, vis a vis the 2014 Draft Plan, as reflected on pp. 8-12 -8-13:*

Response: The project includes wetland restoration, upland reforestation, and several improvements supporting management activities that are consistent with your organization's desire for Kawainui-Hāmākua as discussed in Section 2.2. We don't view other project improvements as consisting of "extensive development" as already responded to. In addition, several reductions have been incorporated to address concerns with the level of improvements proposed. In comparison, construction of the Kūkanono subdivision above Kawainui would be more fairly considered a far more intrusive and extensive development than what is proposed under this project.

We disagree with your opinion of the process used to solicit and evaluate public input on this project and during the environmental review process. As already stated under our response No. 3, the planning process on this project has been ongoing since late 2010, considerable public input has been received, and this is documented under Chapter 8 of the DEIS. Such activities included several public informational meetings, several smaller community and stakeholder meetings, KNB presentations and discussions by members, a public website on the project, and considerable social media information spread throughout the community. The KNB can have their own opinion on the process as well, since their role under the Neighborhood Board system is advisory providing input to agencies, which have been received and considered.

We also disagree with your opinion that the project has been unresponsive to community input and has not changed significantly since the draft master plan presented in 2014. Section 2.2 of the EISPN discussed changes to the project since the 2014 draft master plan based upon public input received, and further project revisions (e.g. eliminating sections of pedestrian trails) have been added due to DEIS comments as discussed under our response No. 2. Just because alternatives raised or all comments suggested do not get incorporated into project plans do not mean they were not considered. The environmental review process allows for public input, but ultimately decisions need to be made by the agency after reviewing the information. Furthermore, the DEIS showed that proposed improvements, such as trails and structures, would not have an adverse effect on the environment. Security and maintenance activities, and management of visitor access (Section 2.2.5) have been



addressed in Section 2.2 of the DEIS. Responses to your bulleted comments on specific items are addressed.

- a. *A minimal number facilities or structures were removed, moved, or modified to reduce significant environmental impacts as raised in community input. Six additional 'kauhale concept' structures were added. We propose that only traditional, non-modern structures be allowed to be constructed at any building site. We feel support facilities can be incorporated into this low impact design concept.*

Response: Structures proposed for the kauhale complex at Pōhakea would consist of traditional Hawaiian pole and thatch structures, as discussed in Section 2.2.4. Initial kauhale structures proposed in the DEIS have been reduced after considering public input, and will be reflected in the FEIS based upon our prior response No. 2. For other cultural centers, buildings would be appropriately designed consistent with design guidelines, as discussed in the DEIS. Having properly designed “modern” structures is appropriate, and is needed to support their intended use. Traditional structures (hale) are available if the non-profit organizations desire such design, but the DEIS provides information on the concept and character of such buildings for the cultural centers. In addition, the education center would be appropriately designed to meet its purpose and use.

Buildings and other structures encompass relatively small areas and footprints within previously disturbed upland areas of the larger Kawainui upland area, and would not adversely impact the environment. Site improvements would be designed using pervious material and LID elements. Buildings are intended to reflect traditional and sustainable design elements, and incorporate LEED or other similar sustainable building design principles. In comparison, the U.S. Fish and Wildlife Service’s Keālia Pond National Wildlife Refuge on Maui constructed a large modern visitor center with a paved parking lot and other improvements constructed along that wetland to support visitor and educational programs.

- b. *Minimal reduction was made to the number, scope, and size of public access trails; Changes were mainly in the Kapaa to Kalaheo Subarea; While attention is given to addressing security and homeless issues, via the statement "DOCARE officers would be available to respond to suspicious or inappropriate activities, enforce regulations, and ultimately increase security in the area." p. 4-88, we still have concerns about illegal activity, particularly at night, on the proposed miles of trails not under individual site jurisdiction. The number and extent of such trails should be reduced.*

Response: As discussed in prior responses, additional sections of the pedestrian trail along with accessory structures (e.g. pavilions) have been removed from the project to address DEIS comments. Trails would not be open at night and there would not be lighting provided to support night use. Trails along the Kahanaiki to Nā Pōhaku upland section do not affect any nearby residences, and various measures discussed in Section 2.2.5 address security concerns. Along the Kūkanono subdivision section, various measures were identified to address security, such as fencing along the trail and at the State’s property line bordering residences.



- c. *No attention was given to addressing the restoration of the upstream water sources that supply the marsh; the marsh restoration is futile if that water source is not managed. It is irresponsible to not consider this crucial factor when evaluating a marsh 'restoration' plan. Additionally, the DEIS is incomplete in that it should include flood control analysis of the cumulative impact the project could have on the human environment of people living downslope of the levee. Please revise the DEIS to include reference to and analysis of these two elements.*

Response: We appreciate your interest with the larger watershed area. However, DOFAW and DSP cannot control water diversions and pollution discharges, which occur in the mauka watershed areas outside of the Kawainui and Hāmākua project site. Those lands are largely privately-owned property, and DOFAW and DSP have no jurisdiction or authority over activities occurring within those properties. It is also impracticable and infeasible for this project to develop a larger watershed plan to dictate what type of activities should be conducted on those properties. The purpose of this project is not to restore upstream water sources or change uses of private property outside of the project area for which DOFAW and DSP have no jurisdiction. The City Board of Water Supply (*Ko'olau Poko Watershed Management Plan, 2012*) and the State Commission on Water Resource Management (*Water Resource Protection Plan, 2008*) have already addressed larger watershed issues.

However, DOFAW can manage the wetlands within the Kawainui and Hāmākua project site to support and improve their function and value within the watershed. The DEIS considered and includes sufficient information on this project area to identify current conditions, which result from outside activities, and address project-related impacts. The DEIS includes information on existing conditions, history of the area, etc. that include these upland areas and valleys and their influence on Kawainui's wetland and water source. The DEIS addressed project cumulative impacts on the environment in regard to relevant past, present, and reasonably foreseeable future actions as discussed in the DEIS, including Section 7.3.

The DEIS addresses flood control impacts in Section 3.2.4 and Section 5.3 addresses runoff and impacts from site improvements. The project's only effect on Kawainui wetland's flood control capacity would be increased stormwater runoff from impervious improvements. As discussed in Section 5.3, project improvements (e.g. parking, buildings) would contribute minimal additional runoff, as the vast majority of runoff occurs from undeveloped upland and vegetated areas within the project site. Cumulatively, the increase from the proposed project would be negligible in relation to the large quantities of water already being discharged from streams and outside areas into Kawainui's wetland. Hāmākua has minimal improvements proposed to support management and programs, and would have negligible influence on that wetland's flood control capacity. Flood control of Kawainui is addressed by the COE and improvements have occurred to the levee. Removal of the large amounts of vegetation from wetland restoration would further improve the wetland's flood control function.



5. *Concern #4: Unprofessional handling of organizations opposing the plan*

*We feel there was an unprofessional handling of organizations opposing the plan, as evidenced by:*

Response: We disagree with your opinion on the manner in which information addressing organizations' comments were discussed in the DEIS. Responses to your bulleted comments are addressed below.

- a. *Including language criticizing the Kailua Neighborhood Board of "dictating to the native community what type of facilities should be provided to support their traditional policies" p. 2-110. The Marsh is within the public domain, and belongs to all, not just the native Hawaiian community. We all have a right and duty to protect it. By specifically calling out this criticism in the DEIS, it discredits the KNB and their right to speak out and be heard. This type of wording should be removed from the DEIS.*

Response: The sentence (DEIS page 2-110) criticizing the KNB's approach toward the native Hawaiian community and traditional cultural practices is not based upon unprofessional handling of comments, but correctly reflects input received. The sentence prior to that (on page 2-110) explains that the criticism is based upon comments received from organizations and individuals. Such concerns, particularly from the native Hawaiian community, have been received in comment letters and input from public meetings and smaller community meetings. We disagree that the statement discredits the KNB or their right to provide input. Nevertheless, that statement has been rephrased in the FEIS. Revised text is attached to this letter.

- b. *Misrepresentation of the position of "The Outdoor Circle" by inserting language suggesting their concern for visitor impact on the natural, historic and cultural resources of Kawainui is only in opposition to visitors to Kailua. (Appendix A, p.887). For the record, LKOC has never been opposed to visitors to Kailua. We are opposed to illegal visitor-related activity only, such as unlicensed commercial beach activity. We would like a correction to that misrepresentation.*

Response: Your concern refers to the first page of the November 24, 2017 response letter to the LKOC's October 24, 2016 comment letter included in the DEIS Appendix. That language was based upon the comments received in that letter which included the Alternative Plan proposing minimal support for public access and facilities for visitors. We are pleased to clarify through this response letter that the LKOC organization's official position is not being opposed to visitors to Kailua, and correspondingly is not opposed to accommodating visitors at Kawainui associated with the proposed project. Accordingly, the LKOC should not be opposed to providing reasonable support facilities for visitors to Kawainui, such as parking, trails, and restrooms because it is unreasonable to properly accommodate visitors without such facilities. Further, based upon the LKOC's position of not being opposed to visitors, it would be reasonable that the LKOC understand why certain components of the Community Plan and LKOC's Alternative Plan supported in your comments were not incorporated into project plans. As discussed in prior responses, several elements of the LKOC's Alternative Plan and Community Plan provide restricted, limited, and superficial access for the public. Those alternative plan components do not provide many suggestions supporting



reasonable and practicable opportunities to establish a permanent presence to support cultural practices, educational programs, stewardship, and public access.

We share your concerns with impacts, and such facility and public access improvements would not have an adverse effect on the environment based upon the DEIS. Proposed reductions with certain improvements would further reduce such effects. DOFAW and DSP are also concerned with illegal visitor activities, such as unpermitted privately-operated commercial tour groups, and share your concern. The proposed project does not involve any commercial beach activity. Section 2.2.5 discusses various management actions proposed to address illegal visitor activities, and a reasonable level of visitors projected could be adequately managed.

- c. *Misrepresentation of the position of "The Outdoor Circle" (p. 4-81) by inserting an erroneous statement regarding our press release in which Hanauma Bay and Polynesian Cultural Center were mentioned. What we said in that press release was simply a query as to whether, in order to provide funding for the project, might DLNR consider a visitor destination modelled after the two named sites? We never stated the project would be modelled after Hanauma Bay or the Polynesian Cultural Center. We would like this reference to The Outdoor Circle removed from the DEIS.*

Response: The statement referred to on Page 4-81 of the DEIS correctly discussed information spread throughout the community that likely contributed to misperceptions of the project by the public. Many comment letters subsequently referenced the Polynesian Cultural Center and raised concerns against having this type of facility in the proposed project. As discussed on DEIS page 4-81, the information was obtained from a blog that was posted on The Outdoor Circle's website, (not the LKOC website), on October 7, 2013, and was written by two individuals, and was not a press release. That blog stated "*the consultants argue that the trail system, parking lots and buildings are needed to service local and international visitors who will be better able to appreciate the marsh and it looks like DLNR might support a visitor destination modeled after Haunama Bay or the Polynesian Cultural Center because they believe development and tourism will attract funding.*" Nevertheless, that section of the DEIS has been rephrased to better clarify what the blog stated. Revised text is attached to this letter.

- d. *Misrepresentation of valid public concerns raised as being based on "misinformation", "out of context", and due to "not bothering to read the plan" (p. 4-81). These kinds of statements do a disservice to all those individuals and organizations that have done their research, and voiced their opposition to the plan based on the potentially detrimental effects that certain actions proposed will have on this fragile resource. We feel that this type of phrasing, which appears to minimize valid community concerns as baseless and not worth considering, does not belong in the DEIS, and should be removed.*

Response: The statements referenced on Page 4-81 of the DEIS are not misrepresentations of public concerns. Rather, they discuss various factors that contributed to or influenced community perception of the project. We do not believe such statements do a disservice to other organizations or individuals that did review



plans and offer comments on the proposed project. Such phrasing does not minimize community concerns, nor state them as being baseless or not worth considering. Statements referring to misperceptions were based upon public input and EISPN comment letters received that indicated several comments were based upon incorrect information that did not reflect project plans and current information. Other comments and letters received further suggested that persons did not fully review project plans.

6. *For the above reasons, we feel the DEIS is incomplete, inadequate and inaccurate, and we would like to see it revised, as stated above, before final approval. Thank you for your attention. We look forward to your response.*

Response: We believe the DEIS is complete, adequate and accurate in the information discussed contrary to your perception of it, and our responses to your comments address this. We appreciate your comments, and revisions have been incorporated into the FEIS to address them, clarify areas, or better explain information as stated in our responses provided.

Thank you for your participation in this process. If you have any questions, please contact Mr. Ati Jeffers-Fabro of Division of Forestry and Wildlife at 973-9788.

Sincerely,



David G. Smith, Administrator  
Division of Forestry and Wildlife

cc: Ronald Sato – HHF Planners



# **ATTACHMENT - DRAFT EIS REVISIONS - LANI-KAILUA OUTDOOR CIRCLE, COMMENT 2**

## **Overview of Master Plan Components**

An overview of master plan concepts and proposed improvements is illustrated in Figure 2.4. They include the following main initiatives: 1) natural resource management; 2) cultural resource management; and 3) educational and recreational programs. Conceptual site plans for each subzone area are provided, and include discussion of site specific improvements.

The majority of the improvements are associated with natural resource management activities, such as wetland restoration, habitat enhancement, and upland reforestation. Table 2.1 presents a breakdown of the total acreage proposed for resource management and program activities. As shown in the table, over 93 percent of the project area would be limited to resource management activities. The remaining 7 percent or about 66 acres are proposed for “program activities,” intended to support cultural, educational and recreational activities. These include improvements for DOFAW operations (management and research station), an education center for visitors, areas for conducting cultural practices, passive outdoor recreational activities, and support facilities (e.g. parking, rest rooms, shelters).

## **Project Revisions Since Draft EIS**

Community concerns have been expressed associated with visitors to Kawainui resulting from project improvements which increase public access. Although such concerns were addressed in the Draft EIS and mitigative measures identified, DOFAW and DSP have decided to incorporate additional modifications to the project (Proposed Action) after evaluating these concerns. Revisions to proposed improvements have now been incorporated into concept plans to further reduce public access within Kawainui by eliminating some improvements. Reducing some areas proposed for public access and passive outdoor recreation would subsequently reduce the projected number of visitors.

Modifications include eliminating some sections of the pedestrian trail (boardwalks and a bridge), the hale wa‘a, and some buildings shown at the cultural centers. Figure 2.4A identifies these revisions and a summary is provided below. More information on these modifications have been incorporated into other pertinent sections of this chapter.

1. Kahanaiki Area
  - Remove pedestrian trail leading to Mokulana peninsula and bridge over Kahanaiki Stream.
2. Pōhakea to Nā Pōhaku o Hauwahine Area
  - a. Remove some segments of the pedestrian trail within this upland area. Only foot trails would be supported.
  - b. Reduce the total building floor area proposed at the kauhale complex at Pōhakea from about 8,250 sf to 5,300 sf by reducing the number of proposed structures.



2. Pōhakea to Nā Pōhaku o Hauwahine Area (continued)
  - c. DSP plans to first provide an off-street parking lot, restroom facility (350 sf), and open pavilion (350 sf) to support programs either as an interim or permanent basis before proceeding with the education center.
3. Kapa‘a Area
  - a. Remove pedestrian trail section along Kapa‘a Quarry Road from Nā Pōhaku to City Model Airplane Park.
  - b. Reduce the total building floor area proposed for the cultural center at Kapa‘a from about 9,600 sf to 7,200 sf by reducing the number of proposed structures.
  - c. Reduce the number of vehicle driveway access locations serving the cultural center at Kapa‘a to two instead of three.
4. Kapa‘a to Kalāheo Area

Changes proposed result in improvements at this site to only those already approved by the City Kawai Nui Gateway Park proposal. The project (Proposed Action) does not include any new improvements to this site. DSP may also not implement construction of the approved pedestrian bridge across Kawainui Canal.

  - a. Remove hale wa‘a structure and canoe storage at the Kalāheo park site.
  - b. Restrict canoe launch activities into Kawainui Canal to only schools by permit.
5. Wai‘auia to Ulupō Heiau Area
  - Remove pedestrian trail from the levee to Ulupō Heiau, including the boardwalk.
6. DOFAW Management Station to Mokulana Area
  - a. Remove two observation decks within DOFAW’s management station area, and the interpretive pavilion at the park site below (southwest) the management station.
  - b. Remove pedestrian trail and two viewing pavilions at Mokulana. Mokulana peninsula would only be used for DOFAW management activities and authorized educational and cultural programs.
  - c. Remove pedestrian trail from Mokulana connecting to Kahanaiki upland area.

## 2.2.1 Natural Resources Management Activities

Project improvements are intended to meet the project need for resources restoration and support for DOFAW management, maintenance operations, and research programs. Major initiatives include:

- Wetland Restoration
- Upland Reforestation
- Storm Water Runoff Improvements
- Improvements Supporting DOFAW Operations



# **ATTACHMENT - DRAFT EIS REVISIONS - LANI-KAILUA OUTDOOR CIRCLE, COMMENT 3b**

off from Kawainui by Kapa‘a Quarry Road, and would not support pedestrian paths nor provide a suitable experience for visitors. It would not support management and monitoring of visitor activities within the Kawainui area, particularly along the Kahanaiki to Nā Pōhaku corridor.

## **Lani-Kailua Outdoor Circle Alternative Plan**

The Lani-Kailua Outdoor Circle (LKOC) proposed an Alternative Plan (Alternative Plan) to the project as described in their October 24, 2016 comment letter on the EISPN. A response letter was provided to the LKOC addressing this alternative plan. These letters were included in Appendix A of the DEIS. Some of the themes proposed by this Alternative Plan are consistent with major components of the proposed project, such as wetland restoration, upland reforestation, and enhancing habitat for endangered waterbirds. However, other suggestions do not practicably support important components of the purpose and need for the proposed project, the State’s missions, and the need to provide reasonable public access for all. Nor do they support Ramsar objectives. Consequently, these other components of the Alternative Plan were considered, but eliminated from further consideration.

It should be noted that Ramsar supports sustainable tourism, recreational use, and cultural practices within designated international wetlands of importance. Ramsar views sustainable tourism as maintaining a high level of visitor satisfaction, ensuring a meaningful experience, and raising awareness about sustainability issues.

Several elements of the LKOC Alternative Plan do not support project objectives. Instead the plan proposes restricted, limited, and superficial access for the public. The justification for smaller scale improvements is to avoid negative impacts on the Kawainui and Hāmākua wetlands, watershed, waterbird habitat, and archaeological sites. However, the analysis in the DEIS shows proposed improvements would not have an adverse effect on these areas. The proposed project does not provide privately-owned, for-profit commercial operations or activities for visitors. Commercial tour buses are not accommodated by the proposed project.

Although the Alternative Plan supports preservation of historic and cultural resources, it does not provide many suggestions which support reasonable and practicable opportunities for non-profit organizations to establish a permanent presence to conduct cultural practices, educational programs, and participate in stewardship of the area. The Alternative Plan suggests that “modern buildings,” trails, pavilions, and other structure additions are not needed to meet project objectives. However, “modern” buildings are not viewed as being detrimental to the environment. Such buildings would include tool sheds, plant nurseries, restrooms, and parking shelters to support restoration work, public access, educational programs, and cultural practices. The more important consideration of proposed structures relates to their purpose and the type of activities they support. The suggested form of public access in the Alternative Plan also does not support LWCF requirements for public access and outdoor recreational opportunities for all.



The details by areas suggested in the Alternative Plan are addressed below. Several of the suggested details are already proposed by this project.

1. Kawainui-Hāmākua. Wetland restoration and upland reforestation improvements are included in the proposed project. Commercial for-profit activities for visitors are not included as part of project improvements.
2. Kahanaiki. Educational programs, cultural practices, community service learning projects are supported by proposed improvements. However, allowing only a once a year opportunity for the general public to visit this area under staff-led tours does not support reasonable public access, LWCF requirements, and project need and objectives. A parking lot at the south end of the Kahanaiki area is needed to provide reasonable access for the public, and would support educational programs. The proposed bridge crossing over Kahanaiki Stream has been eliminated along the section of pedestrian trail connecting Kahanaiki with Mokulana.
3. Nā Pōhaku (Pōhakea). Suggestions for this site do not support reasonable public access because the kauhale complex would not adequately serve the purpose of the education center for visitors. The Draft EIS discusses the purpose for this education center. Overall, the size and footprint of this education center would not have a significant impact on the environment. However, based upon comments received during the DEIS comment period, DSP may instead implement a facility on a smaller or interim scale that includes parking, restrooms, and a pavilion, as discussed in Section 2.2. The project's proposed parking lot is sufficient to accommodate projected visitor levels, whereas a 15-stall parking lot would not be adequate, and provides only minimal and superficial support for public access.
4. Nā Pōhaku o Hauwahine. The only improvements proposed at this site by the proposed project would connect foot trails from Pōhakea to this site. Existing structures are not planned to be replaced with a new covered pavilion because these structures were built by a non-profit organization for educational and cultural programs conducted under a curatorship agreement. Public access at this site is already allowed, and DOFAW would address wetland access restrictions as part of their ongoing management activities. There are no 10 to 12 foot wide pedestrian trails proposed at Nā Pōhaku, since existing foot trails would continue to be used. There is not enough space at the present trail head entrance to Nā Pōhaku to accommodate a 10 car parking lot. The parking lot proposed at Pōhakea is intended to satisfy this need, and would provide a safer area with vehicles located further away from the roadside. Restrooms proposed at Pōhakea would provide better facilities to serve the public instead of portable toilets.
5. Hawaiian Cultural Center. This site is proposed to allow construction of a cultural center by a non-profit organization to support cultural practices, stewardship opportunities, and educational programs. Based upon prior studies of Kawainui, there are no known hazardous waste issues associated with this site. The non-profit organization developing this site can conduct soil tests, if necessary. Reforestation of this area with native vegetation is included.



6. Vegetation Processing Site. Facilities proposed for this site are needed to adequately support vegetation processing activities and operations.
7. Kapa‘a Stream, Ditches, Culverts. The drainage ditches along Kapa‘a Quarry Road near the City Model Airplane Park are owned by the City. Therefore, any maintenance or vegetation clearing for them would need to be performed by the City. Pedestrian trails or boardwalks from Nā Pōhaku o Hauwahine, toward the Model Airplane Park, and toward Kalāheo have been eliminated from the proposed project. Improvements from the bend in Kapa‘a Quarry Road to Mōkapu Boulevard consist of wetland restoration and upland reforestation improvements that would not contribute to increased long-term traffic along this roadway.
8. Kawainui State Park Reserve (SPR). Improvements shown for the Kawainui SPR, Kalāheo Section (park site) are already permitted and entitled. The hale wa‘a initially proposed has been eliminated from the proposed project. Therefore, the project does not propose any new improvements to this site.
9. Levee. DOFAW is planning to restrict dogs from the levee, and will be taking steps to enforce this prohibition in the near future.
10. Wai‘auia and Center for Hawaiian Studies. Wai‘auia needs wetland restoration and does not provide important habitat for endangered waterbirds. Only a pedestrian trail and observation area are proposed here to provide a connection with the levee. The site for the cultural center is culturally important, which supports locating the center there and management and maintenance of a proposed reinterment site. There are no known historic sites present within this upland area. A suggested alternative of a hale or pavilion located here instead would be inappropriate and does not support cultural practices and other activities. Such a structure provides superficial support for temporary access and does not adequately support the project need. The cultural center would not have significant impacts to view planes of Kawainui. Landscaping would provide further visual buffering.
11. Ulupō Heiau and State Historical Park. The pedestrian and foot trail linking the levee with Ulupō Heiau is no longer included with this project to address public access concerns. The other program-related elements, buffers, and restriction of commercial activity proposed by the Alternative Plan are generally included by the proposed project or are presently occurring (e.g. educational programs). The project does not include using the gated driveway from Kailua Road to the Windward YMCA’s rear parking lot to serve Ulupō Heiau. The final design of the foot trail along the Kūkanono subdivision hillside would be routed to avoid impacting existing historic sites in this area that predominantly consist of terraced walls.
12. DOFAW Management Station. The replacement of DOFAW’s temporary structures with permanent modern buildings and program-related elements supported by the Alternative Plan are already proposed under this project. Educational and research programs, etc. are presently occurring within this area in coordination with DOFAW. Commercial activities are not proposed at the passive outdoor recreational area west of DOFAW’s management station. A restroom facility suggested can be considered



- for this area, both on an interim and permanent basis using an individual treatment system.
13. Mokulana Peninsula. Both driveway accesses to this peninsula are planned to be gated and available only for management activities, and educational and cultural programs, etc. coordinated with DOFAW. The other components suggested for this site are already incorporated in project plans. Dogs would not be allowed within these areas. This area would not be open at night. A bridge crossing over Maunawili Streams would not be constructed within the wetland, and is intended to support DOFAW management access within areas.
  14. Hāmākua Marsh. Educational programs, cultural programs, and community service learning projects are already permitted and occurring within Hāmākua. The proposed project does not change this condition. Improvements proposed at the gated entrance are needed to support maintenance activities, serve as a staging area, and accommodate programs occurring.
  15. Pu'uoehu Hillside. Proposed trails on Pu'uoehu would not be open to the general public because they are intended to support DOFAW management and reforestation activities. However, DOFAW may permit occasional community service learning projects or day events for the public to visit this area, learn of the resource and activities, etc.



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## 2.3.4 Other Alternatives Considered

Alternative plans have been suggested by certain organizations for consideration instead of the proposed project concepts. These alternatives were considered, but have been eliminated from further consideration because of various reasons such as they do not support the project's purpose and need or were not feasible and practicable to implement. The alternative plans generally support wetland restoration and upland reforestation improvements proposed under the project. However, alternatives differ in the area of public access and cultural practices. In summary, the common theme proposed under these alternatives was eliminating most if not all reasonable public access and support facilities within the project site, and providing minimal support for cultural practices. These suggested alternatives are summarized.

### ~~Kailua Neighborhood Board Recommendations~~ Kawainui Marsh Restoration Plan, Priorities, Protocols, and Participation

The Kailua Neighborhood Board (KNB) Planning, Zoning and Environment Committee supported a Kawainui Marsh Restoration Plan, Priorities, Protocols, and Participation plan they refer to as "The Community Plan" ~~proposed their version of a plan~~ as an alternative. This ~~version of the plan~~ was adopted by the Committee in October 2013, and received the Board's support at their November 2013 meeting. Exhibit 2.23 includes the map of ~~their~~ this alternative plan showing all facilities instead proposed.

The plan was prepared by some Kailua and Waimanalo residents, including the President of the Kailua Hawaiian Civic Club (at the time) and the Chairperson (at the time) of the KNB. However, it is noted that The Community Plan has never been supported by the Kailua Hawaiian Civic Club up to today. The KNB has explained that this plan was first presented to certain community organizations that included the Lani-Kailua Outdoor Circle, the

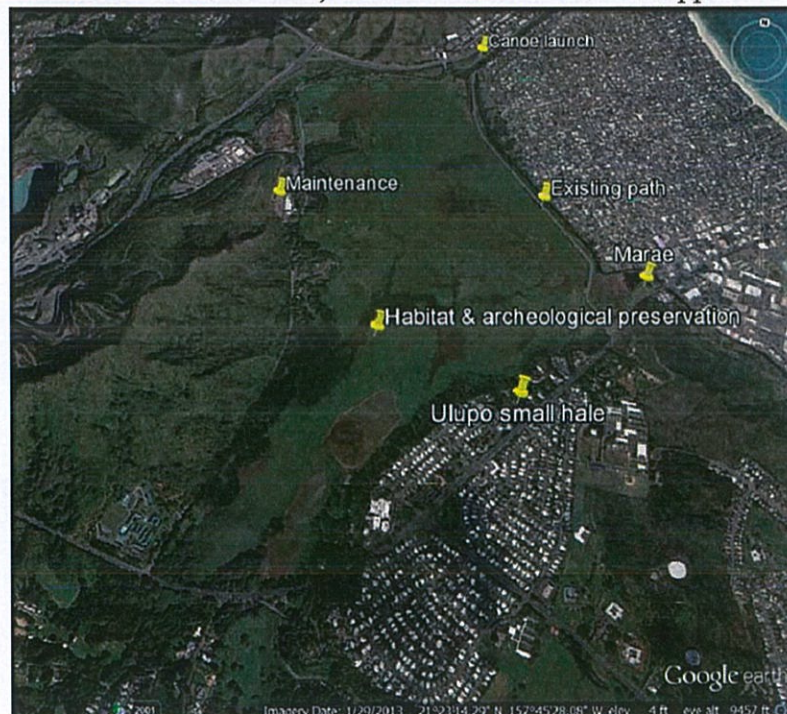


Exhibit 2.23 Kailua Neighborhood Board Supported Alternative Plan  
**Proposed**

Audubon Society, Keep It Kailua, and Hawaii's Thousands Friends. Only after these organizations endorsed The Community Plan, did the KNB review and endorse it.



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There would be no improvements supporting public access in the form of pedestrian trails, support facilities (e.g. restrooms, observation decks), or the education center. This alternative creates a situation conflicting with DOFAW and DSP agency missions that support public access. This alternative also does not meet LWCF 6(f) requirements that necessitate increased and improved public access and outdoor recreational activities.

In addition to not supporting public access, this alternative plan provides no reasonable or practicable support for cultural practices. For example, a proposed marae hula mound and small hale at Wai‘auia to accommodate “occasional” activities do not support establishing a long-term and permanent cultural presence to support cultural practices, stewardship, and educational opportunities by non-profit organizations and cultural practitioners. Such a mound and hale only accommodate temporary use for activities, and are more appropriate for being components within a more appropriate cultural center. Reasonable represents having fair, sensible, and logical judgement in determining what is appropriate. The Community Plan does not include facilities to support a permanent presence for cultural practices at Kapa‘a, Wai‘auia, and Pōhakea, and is consequently not fair, sensible or logical as an alternative for that component of the project.

These superficial accommodations proposed for cultural practices do not provide a reasonable alternative to truly and practicably support a long-term and permanent presence for cultural practices. Comments from other organizations and individuals, particularly from the native Hawaiian community, have criticized this ~~neighborhood board’s~~ alternative plan. A particular area of their criticism is on the appropriateness of such a plan supported by the KNB ~~this board~~ to be ~~dictating~~ determining for ~~to~~ the native Hawaiian community what type of facilities should be provided to support their traditional cultural practices. Based upon the KNB’s comments, the plan was not presented to native Hawaiian community organizations for their input prior to being adopted by the KNB. Organizations that the plan was presented to have long established their opposition to the proposed project, increasing public access, supporting visitors, and cultural centers. This alternative conflicts with both DOFAW and DSP core agency mission objectives for protecting and managing cultural resources. It also does not support traditional and customary rights of native Hawaiian’s for cultural purposes under Article XII of the State Constitution.

## **Ho‘olaulima Recommendations**

Ho‘olaulima prepared a document titled *Interpreting Kawainui-Hāmākua Recommendations for the Kawainui Master Plan Update* (July 2012) to provide DOFAW and DSP with their suggestions as part of the master plan’s development. Ho‘olaulima believes that interpretation can be used to heighten awareness and understanding, and develop better stewardship of the Kawainui-Hāmākua area. After a series of community meetings held, the organization identified the following alternatives related to the siting of the education center as shown on Exhibit 2.24. These alternative locations consisted of the following.



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Restoration efforts and improved public access at Kawainui would provide visitors to Kailua with another passive outdoor recreational and educational site to visit. However, activities at Kawainui (wildlife viewing) would not serve as a primary destination that attracts most visitors as previously discussed. Activities at Kawainui would likely take only a couple hours to complete, and are not as popular as compared to spending most of the day at the renowned beaches, participating in ocean recreational activities, and shopping at boutiques, other retail shops, and the diversity of available restaurants.

Renovation of the commercial town center providing a diversity of boutique and retail shopping experiences that are popular with visitors would not be changed by the project. Future decisions on commercial redevelopment or tenant mix would be influenced by other economic factors instead of improvements and visitors to Kawainui. As an example, what occurs at Kawainui would have little influence in a decision made selecting a particular restaurant tenant or new boutique shop. The “Obama effect” generating popularity with Kailua (e.g. shave ice) would not be influenced or increased by proposed project improvements, and this Obama influence would likely diminish over time (e.g. 10 years from now).

Much of the visitor-related concerns with the project are also attributable to misinformation distributed throughout the community that leads to misinterpretation of what is actually planned at Kawainui-Hāmākua. As discussed in Section 4.1.2 (cultural resources), a level of miscommunication on Kawainui had occurred in which people in the community heard things out of context and never bothered to review the plans based upon interviews conducted. For example, an October 7, 2013 blog published on The Outdoor Circle’s website stated *“... it looks like DLNR might support a visitor destination modeled after Hanauma Bay or the Polynesian Cultural Center because they believe development and tourism will attract funding.”* ~~the project would support a visitor destination modeled after Hanauma Bay (for education center) or the Polynesian Cultural Center (for cultural centers), which~~ *Those developments* are significantly different and negatively exaggerates the concept of plans proposed under the project.

## **Effects from Wetland Restoration and Upland Reforestation**

The proposed expansion of wetland restoration and upland reforestation at Kawainui and Hāmākua should have minimal, if any, effect on the social character of Kailua and should not generate significant concerns from the community. The community is generally supportive of restoration efforts recognizing the need to address the expansion of invasive species due to decades of minimal management efforts until DOFAW acquired jurisdiction of these areas. The long-term benefits to wetland functions, waterbird habitat, flood control, and water quality are widely supported by the community. Comments received on the EISPN showed community support for wetland restoration and upland reforestation plans, and recognize its value as a statewide public resource.