

October 31, 2019

LKOC Response to BLNR Acceptance of FEIS for Kawainui-Hamakua Marsh Master Plan

For the past 70 years, The Lani-Kailua Branch of the Outdoor Circle (LKOC) has been actively involved with the preservation and protection of Kawainui Marsh. As a Kailua-based group of dedicated volunteers, we are committed stewards and stakeholders in this effort, with no vested interest other than its preservation as a wetland and wildlife refuge, and the protection of archaeological sites that could shed light on early Polynesian migration and Hawaiian settlement in the Islands.

LKOC's involvement began in 1951, when we obtained a permit from the City of Honolulu Board of Forestry and Agriculture to begin clearing the area around **Ulupo Heiau**, to allow further archeological inspection. Our activity directly led to Ulupo being transferred to the Hawai'i Territorial Parks System.

Cultural and archeological sites, wildlife habitats, and the wetland itself exist in Kawainui today in large part due to our efforts. In the early 1960's, Kawainui was privately owned, and LKOC successfully led the effort to convince the Honolulu City Council to purchase 749 acres of the marsh slated for development of a 4000-home residential complex. LKOC hired an architect/planner to develop plans for recreational and educational use, with an emphasis on cultural aspects of the marsh, in response to the City's proposal for more active recreational use, including a small boat harbor.

In the early 1970's, LKOC was successful in stopping the development of an 88-acre shopping center in the **Kahanaiki** area of the marsh. We fought the Department of Public Works' plan to implement a park concept using the marsh to accommodate 25 years of sanitary landfill (garbage). In 1976, LKOC petitioned the City to rezone approximately 250 acres of privately-owned land along the southern edge of the marsh, from Urban to Conservation, eventually resulting in 70 acres being rezoned in 1979.

In the early 1980's, LKOC convinced the City to divert a sewer line (discharging secondary treated sewage into the marsh) to be routed along Kailua Road. In the late 1980's, LKOC petitioned the city to void previously granted permits to build a light industrial park on the **Wai'auia** site, resulting in the State ultimately purchasing the property, and the removal of the partially constructed structures there.

LKOC spearheaded the formation of the **Ad Hoc Committee for Kawainui**, in 1974, the **Kawainui Heritage Foundation** in 1983, and the effort to declare Kawainui eligible for inclusion on the **National Register of Historic Places**. In 2005, LKOC was a signed petitioner on the **Ramsar Convention** declaration of Kawainui as a "**Wetland of International Importance**".

As 70-year stewards of this fragile natural, cultural, and archeological resource, we have always felt a duty to protect it. Over the years, many others in the community have also come forward to protect, restore, and enhance the marsh. We are all passionately committed to our individual stewardship responsibilities and recognize that the future of Kailua depends on the sustainability of Kawainui Marsh.

For this reason, LKOC asked to be a consulting party on the preparation of the Kawainui-Hamakua Marsh Master Plan, submitting testimony and comment at each stage of the multi-year planning process. This included the submission of a set of comprehensive alternative proposals for **less impactful construction options** at all the proposed sites, than those presented in the Draft EIS. Our alternatives meet all stated objectives of the Plan, which are to sustain and enhance the natural and cultural resources associated with the area, increase public access, and increase outdoor recreational opportunities.

Although the resulting Final EIS for the Master Plan, recently put forth, proposes some much needed restoration efforts, and provides for important educational and native Hawaiian stewardship opportunities, it unfortunately also includes hardscape buildings and parking lots in the upland areas of an already compromised ecosystem. These hardscape structures will have long-term irreversible environmental impacts on their immediate surroundings and on the wetland, flood plain, and wildlife habitat below them. We believe that the environmental review provided in the FEIS for these building sites is inadequate.

Therefore, LKOC recently testified to the FEIS Accepting Authority, the State BLNR, on October 25, 2019. At that meeting we asked that either the FEIS be revised to more comprehensively address environmental issues at these upland areas, or that new Supplemental EIS documents be prepared for each of those sites. Sadly, the BLNR voted to accept the FEIS without addressing our request for further review.

But more alarmingly, the BLNR also voted unanimously to amend the FEIS, on the spot, with no apparent opportunity for further public review, to reintroduce a number of features that had been removed from the Draft EIS. These include reinstating the larger building footprints for both the Cultural Center at Kapaa and the Educational Center at Pohakea that had been proposed in the Draft, and the reinstating of an additional .62 miles trails (at Kapaa and Mokulana Peninsula), 640 feet of boardwalk (at Kapaa), a 191 foot bridge and 2 viewing pavilions (at Mokulana), and 2 observation decks and 1 interpretive pavilion (at DOFAW Management Station area), all of which had been removed from the Draft, based on community input and environmental concerns, and were not included in the FEIS presented to BLNR.

This action on their part means that the years of public testimony and community input, given in good faith, and the Plan Consultants' analysis used to determine the Final EIS and Master Plan components, have been summarily overridden by BLNR in a single vote. This has left many of us in the community feeling disenfranchised and questioning the integrity of the EIS preparation process itself.

Additionally, to our knowledge, the public has not been informed of this critical decision and should be aware of these changes to the FEIS, which are now subject to review by the Attorney General before being sent to the Governor for Approval. Once the FEIS is approved, everything in the Master Plan could be **legally activated at any point in the future** by administrative permit when the community is no longer watching and has little recourse for action.

Despite the BLNR decision, LKOC's resolve has not weakened. LKOC will continue its decades-long commitment and support for environmentally responsible treatment of the marsh. It will monitor any future construction allowed under the FEIS, if and when such construction occurs, in order to minimize the harm to marsh resources.

The natural, cultural and scenic capital of Kawainui are public trust resources that benefit the people of the State. The future of Kailua depends on the marsh as an integral part of the Kailua watershed, and environmental damage to these resources must be avoided at all cost.

Please join us for the next seventy years in our support for Kawainui-Hamakua Marsh.

The Lani-Kailua Outdoor Circle
(See www.lkoc.org/Kawainui-Marsh.html)