



Hawaii's Thousand Friends

ANNUAL REPORT 2022



Saving Sherwood Forest

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Hawai'i Needs the LUC

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Hawai‘i Needs the LUC, Now More Than Ever

Dr. Jonathan Likeke Scheuer

The Hawai‘i Land Use Commission (LUC) is often described as the only truly statewide zoning body in the United States. Sometimes that unique status is mentioned as one reason to get rid of it in attacks from certain development interests. But rather than eliminating the LUC, if we want to have new development that benefits those of us who are here while also protecting what makes our islands unique, Hawai‘i needs to defend and strengthen the Land Use Commission.

I speak about this from some level of familiarity. On June 30th of this year, I finished serving eight years on the LUC, the last four as Chair being elected by my fellow Commissioners. It was a busy time! Some highlights:

We approved or agreed to modifications to significant new developments. This included the 1,500+ home Waikapū Country Town and 800+ home Pulelehua projects on Maui, the 12,000+ unit Kamehameha Schools Waiawa project on O‘ahu, and large utility scale solar projects across the islands.

We declined to approve significant, controversial projects. This included the 769 unit “HoKua Place” subdivision along the busiest section of highway on Kaua‘i, a proposed “Olowalu Town” 1,500-unit project between Mā‘alaea and Lahaina, as well as the “Kīhei Mega Mall”.

The LUC even exercised our one enforcement power, and reverted land back to the agricultural district from the urban district when developers did not follow through on their promises. (The LUC places conditions on developments it approves, including requirements for historic site preservation, traffic improvements, affordable housing development, and new schools. However, the LUC has no power to fine developers who break these promises if they have started to develop. Only if they have failed to commence development by deadlines, the LUC has one option to “undo” the approval. Projects that have started to develop can only have conditions enforced by the respective county, which sometimes decline to do anything). At Waiehu on Maui and Waikoloa on Hawai‘i Island, the LUC reverted lands where developer’s promises were illusory. If those lands are to be developed in the future there must be new studies and a chance for today’s community to weigh in.

We famously put a deadline on the City and County of Honolulu to close the Waimānalo Gulch landfill. The city asked us to let them operate it indefinitely by approving a special use permit, which by law is reserved for temporary uses of land. Besides that fatal flaw in the City’s application, their choice to avoid the regular redistricting process to make the landfill land urban denied westside O‘ahu communities a greater opportunity to address the longstanding environmental racism they have faced.

In addition, over the last few years, despite opposition from some development interests, the LUC also adopted rules that require development proposals to consider future sea level rise and their greenhouse gas inputs as a required part of an application.

The LUC has developed (at least in recent years) a balanced record of allowing development while fulfilling the state’s Constitutional duties to protect public trust resources and the exercise of traditional and customary Native Hawaiian rights. Even from the less balanced past, the general public regularly benefits from actions the LUC has taken, though they may be unaware. For instance when the Ko Olina O‘ahu resort began restricting public beach parking during the height of the COVID-19 pandemic, the city finally stepped in to reverse that. While the news covered the City’s actions, no one mentioned the City was enforcing an original LUC condition for what was then called the “West Beach Estates” project from 1990.

Despite the benefits to the public and the state that have accrued due to the LUC, it remains a political target. Year after year, in venue after venue, leaders (most of whom have never attended a single LUC hearing) call for the reduction of LUC powers or its abolishment.

You do not have to look far back in time for examples. During the section of the July 21, 2022 “Super Debate” for the Republican Gubernatorial Primary, the very first question asked to candidates by moderator Mahealani Richardson was “What current permitting land use requirements would you eliminate to encourage affordable housing?” Duke Aiona answered first, and without a pause responded “Great question. The Land Use Commission. I think that’s something that’s been talked about for a while. If you talk to a lot of developers, and contractors, and people who are in the industry, they are going to tell you it’s that layer on the state level that causes a lot of the, I guess you could say the delays, and as a result of that the costs, the higher costs of building homes.”

Lest you think this is only a Republican talking point, leading Democrats also have often said essentially the same thing. When she was Senate President in 2015, Donna Kim’s Opening Day remarks called for the elimination of the LUC. In 2020 – before the pandemic imploded the 2020 Legislative Session – our Senior US Senator Brian Schatz was the lead author on an opinion piece in Civil Beat on affordable housing. He was joined in authorship by Senate President Ron Kouchi, House Speaker Scott Saiki, the chairs of the money committees (Donovan Dela Cruz and Sylvia Luke), and Kaua‘i Mayor Derek Kawakami. On February 5 – before any hearings had been held – Schatz and the others affirmatively stated that “With input from the counties, laws will be changed to reduce regulatory barriers in the Land Use Commission and State Historic Preservation Division to accelerate housing development.”

While abolishment or “streamlining” the LUC seems to be a rare point of bipartisan agreement, it also fails to happen, year after year. Hawai‘i’s Thousand Friends (HTF), among other groups, have been a consistent and critical part of that defense of the LUC. HTF and its members should keep up this excellent work.

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Some of the reasons for embracing and enhancing the LUC are the same ones that have been true for decades. Other reasons are new, as the LUC provides us unique tools to pursue our climate, energy, and food sustainability goals. Most importantly though, Hawai‘i stands as a body that is uniquely situated to defend our heritage and help keep Hawai‘i, Hawai‘i.

As HTF reports back on another year of work and as we all look to a new state administration coming in and another legislative session beginning, it is worth considering how we need the LUC more than ever. One of these reasons has existed since statehood. The same forces - from both outside and inside the state - that would indiscriminately pave paradise solely for financial gain are of course still at work, just as they were when the original state Land Use Law was passed in 1961. Just as they existed when HTF was founded in 1980.

What can be an effective check when projects worth hundreds of millions or billions of dollars are on the line? The LUC and the County entitlement procedures differ in significant ways. Perhaps the most significant is that nearly all entitlements at the county level require votes by the respective Council. Developers and others can contribute to the election campaigns of council members. The nine members of the LUC are all appointed by the Governor and confirmed by the state Senate. LUC members may be subject to political influence through that process, but you cannot contribute to our campaigns, because we don't have campaigns.

While that fundamental truth about power and influence remains, there are also other reasons the LUC is even more critical now. These have to do with the ways that our islands, the US, and the world are changing.

As we face climate change and all its associated impacts - sea level rise, extreme storm events, changes to water availability - the way in which our urban areas develop are critical to making our existing and new communities resilient in the face of this change. Not only do our administrative rules require that parties address these emerging threats, but the quasi-judicial process we follow allows an open investigation of the data and claims made around these issues. Intervenors are allowed to bring in their own experts and question the opinions of the developers' experts, some of whom have never asserted their projects will have any impact.

The LUC's entitlement processes will also allow us to take actions to have more resilient landscapes in the future. There are differences among climate models that are seeking to predict our future rainfall patterns, but one point of commonality is that rainfall events are likely to become more intense, even if annual precipitation in an area remains the same. Capturing that water to use and prevent massive flood events of the coast and ocean will require both more man-made storage (reservoirs), and expanded watersheds. The state's original agricultural district boundaries were made based on plantation agriculture, which was incentivized to plow every usable acre, including formerly vast forests. The chance to

move former agricultural land into forested watershed as part of LUC processes will be a significant option the state will need as we move into a different and more variable climate.

There are other ways in which the LUC will be critical to our succeeding in meeting our constitutional mandates and statutory goals around energy independence and food security. Most of the utility scale solar projects that are critical to meet our energy goals are also being built on or are targeted for lands formerly in productive agriculture. Whether these projects can be built in a manner that supports or thwarts our goals for farming can hinge on the kinds of conditions that can be placed on them. Again, while some of these conditions could be placed by the counties in a future where the LUC is eliminated, the clear state mandates and political insulation of the LUC, along with its quasi-judicial processes, offer the best chance for these goals to be reached.

Finally, while the LUC is attacked for being a barrier to housing production, that may only be true if the future of housing we want is further suburban sprawl over the remaining open spaces of our islands. Not just across Hawai‘i but across the world, it is widely recognized that building denser in urban cores rather than encouraging sprawl solves a myriad of problems around energy consumption, water use, land use, climate resiliency, and overall quality of life. The LUC, precisely because it must weigh the benefits of development against other critical state goals, considers proposals for additional low-density development with the exact kind of process that will help us make those choices in the best way possible.

Hawai‘i faces an endless demand from people who want to vacation in or move to the islands, at every price point, and from all over the world. We need respond to the nearly continuous pressures of national and international markets as we try to hold onto the things that we as a society have made clear we want to preserve and enhance. Whether it is keeping a healthful environment, the perpetuation of traditional Native Hawaiian cultural practices, or protecting our public trust resources like water, to succeed we need robust policy tools and a constant recommitment to resisting the pressures of quick profits and big promises. The unique and strong tool of having a state Land Use Commission is something we will need to continue to embrace and enhance, now and into our future.

*Dr. Jonathan Likeke Scheuer helps clients in environmental conflicts seek shared, sustainable prosperity for the communities and 'āina involved. His work since 1991 incorporates policy analysis and development, advocacy, community engagement, conservation real estate transactions, facilitation, and education towards these ends. He is coauthor of the 2021 book *Water and Power in West Maui*. As a volunteer he has served as Chair of the Land Use Commission, Chair of the Hawai‘i Land Trust Board, and Vice Chair and Kona Moku representative on the O‘ahu Island Burial Council.*

Saving Sherwood Forest

By Maureen Harnisch



The cliché says, “you can’t fight City Hall”. But I say you can! The victory of Friends of Sherwood Forest in the battle to stop the City and County from developing this natural area into a sports complex is proof.

Three years ago, I saw a story on the news about bulldozers in Oahu’s Waimanalo Bay Beach Park, known to locals as Sherwood Forest. This is a favorite spot for me, and I was outraged enough to get involved. I called the TV station and got the name of the Waimanalo resident in the interview and called her. That was how it began.

The community was also outraged. Politicians pushing the development snuck up on people and hundreds of concerned residents showed up at the first protest in April 2019. “Waimanalo Bay Beach Park Masterplan”, would have destroyed the forest, and paved over 4 acres for sports fields and parking for Phase I. This 76-acre natural area is one of the last coastal forests on the island and should be protected. The plan itself was full of errors, ambiguities and outright lies. Because of the size of this tome, I guess they thought no one would read it. They were wrong.

How did we do it?

Don't be intimidated. Pick up the phone. People are happy to help.

One of the City’s lies I caught early was that the City claimed the development would utilize R2 recycled water for the development. Knowing little about wastewater, I picked up the phone and called and asked if the Waimanalo facility even produces R2 recycled water. Waimanalo’s wastewater facility only produces R1 water – clear, clean, potable drinking water to waste watering an unnecessary sports complex. After calling everyone from the Board of Water Supply to the DOH to the Water Commissioner himself, the City is at least 10 years and tens of millions of dollars away from this upgrade. There were no plans, no outlines, no budgets and no ideas about upgrading the Waimanalo facility in the works. The claim was untrue and easy to prove.

Another example, The City claimed in the masterplan that the area was not on the National Registry of Historic Places. But in the appendix, it cited that it was indeed on the Registry. Using the citation, I called Washington D.C. and spoke to the office that administered the list. They confirmed that the area is indeed on the National Registry. Never be intimidated to call anyone. Your effort needs a “salesperson”. I cold-called hundreds of people from The Department of Interior to the Office of Environmental Quality (OEQC). I was unaware of

the existence of most of the agencies I called. Everyone was very friendly and helpful. Don’t send emails. Pick up the phone.

Get the right kinds of support

In an effort like this, you need a driver – one person who steers the effort. If you can get a nonprofit to be the driver, great. I was unable to get that support because most of the groups on Oahu were already spread thin. In addition to the driver, you need a dedicated group who will always show up to help. Hundreds pitched in, but 12 were doing the consistent heavy lifting. At last count, there were more than 1000 people participating and receiving our newsletters.

We were able to secure the support of nonprofits. One of our volunteers wrote a letter and got a dozen local environmental nonprofits to pledge support for our effort. This letter was then sent on to elected officials and media. We had an election in the middle of our effort, so we got pledges from candidates saying they would not support the development if elected. Mayor Rick Blangiardi signed a pledge and proved true to his word.

There were many people who wanted to help us but needed to remain anonymous. Accept their help and respect their privacy! There were significant, anonymous people involved and I never revealed their identities. I gave a fake name early on to one person with particularly valuable information. I didn’t want to accidentally speak their name. A year later, they said to me, “Please keep my name out of this one.” I replied, “Honestly, I don’t even remember your name.”

Finding an Attorney

I am no expert on this and found this to be difficult in the extreme. I called every environmental attorney I could find. Most were sympathetic but managing a full case load. Before ending a rejection call, I asked, “what would you do if you were me?” Every one of them generously gave different, valuable advice. Many gave another name to call. We gratefully worked with low bono attorney Tim Vandever who was kind enough to take the case until we got an offer for pro bono assistance from a large, powerhouse firm (Bronster, Fujichaku and Robbins).

Fundraising

Hold onto the money with both hands. We had a volunteer step up enthusiastically to manage the GoFundMe. After a year’s worth of effort, she stole the money. Since she

started the fund, there was nothing we could do. We did report the theft to GoFundMe, and they refund money to individuals who asked. But we had to tell our donors to ask for their refund. All of this hurt our momentum. Learn from our mistake. Keep the funds close! It is disheartening to lose money after all that work. Be wary of anyone eagerly volunteering to run the GoFundMe. The person who set up the account can walk off with the funds and you have little recourse. Unfortunately, morally corrupt actors insert themselves into volunteer efforts, targeting their funds.

Divide and Conquer and other dirty tricks

Government often uses the trick of divide and conquer in the community. The former mayor knew he had to get some of the local community on his side to proceed. Divide and conquer is fairly easy for them to accomplish. In our case, he secretly approached key members of the community, lured them in with silly promises and turned them against the original group. When the tactic of divide and conquer reached its ugliest extremes, I came closest to quitting the effort. Because I did not agree with the splinter group, they turned on me in a discouraging way. I think I stayed the course because I was angry to see our elected officials manipulating the community in this way. If I didn't continue, the City would have won.

The City also ran a deliberate misinformation campaign. Make sure that every elected official has the true story. Early on, the City issued a press release. Almost every word was untrue. Mark it up in red and give everyone a copy. Elected officials are busy. Help them by making it simple. Hand deliver it. Emails are easy to ignore.

When the City sent the police to put down a peaceful protest, many of them kapuna, they brought weapons of war. They brought a sound cannon to frighten and intimidate the community into compliance. Twenty-seven people were arrested. Although the final word on the sound cannon was that it was not deployed, several people had lasting negative effects. We sent detailed communications to the media about the egregious actions the City had taken and published it on our website. This was a front page story.

Administrative Shenanigans

One of my concerns was the Environmental Assessment (EA) done for this project. How could it not be important enough to warrant an Environmental Impact Statement (EIS) when there were hundreds of endangered Ope'ape'a (Hawaiian hoary bats) living in the Sherwood Forest, not to mention shearwaters on the ground and other critical and endangered birds using this area. This was a natural area in the Coastal Zone Management area they were trying to pave over. The City was going to put up stadium lights where shearwaters were nesting! The finding that no EIS was needed was amazing and the best proof that it is crucial for citizens to be watchful

and get involved. The process is that first, an environmental assessment (EA) is done. Then the EA must be judged to determine if a more thorough EIS is triggered. The developer, the City and County of Honolulu Office of Design and Construction, writes their own EA. The judge of the EA is the exact same office. The actual developer looks at their own EA for Sherwood's and declares no further study needed! How is that fair? That process needs to be changed. The so-called "safeguard" is that this must get approval from the DOH, Office of Environmental Quality Control, which is extremely short staffed. When I spoke to someone in the office itself, I found one person, for the entire state, with a second person on extended leave. There is no way that one person could even read everything in the state much less pass reasonable judgement on it.

Also, EAs and EISs have no expiration date, even when the conditions they initially considered have changed.

Managing the Media

Cultivate relationships with key media people. NEVER waste their time. Develop specific story lines. Give exclusives where you can. Get cell phone numbers. Make it as easy as possible for them. Have your most articulate people available for interviews. Most reporters are looking for ideas -- help them find them. Print up fact sheets to hand out at the end so they get it right.

Constant Monitoring

The conditions of the City's Grading Permit included having an archaeologist onsite during earth moving of any kind. The contractor did not do that. Who would have known if our volunteers were not watching? Be your own monitors and have the phone number of DLNR DOCare, and SHPD, the State Historical Preservation office. Once we made calls and the archeologist showed up, they were sitting in a beach chair some distance away from the site. Sometimes, they were sitting in their car with the air conditioner running. We took pictures and told the media.

All too often developers don't adhere to all the rules. Read the plans. Find the dishonesty and the inconsistencies.

Stay Focused

Early on in your effort, define your mission and stick to it while a thousand things distract you. For example, there were always tons of ideas about what should be done with the park. But that is not what our effort was about. Our goal was to stop the implementation of the Masterplan and get the Special Management Area permits (SMA) permanently extinguished. Because we were able to maintain our focus throughout, we accomplished exactly that. The developers will come again for this beautiful place. But they will have to start over and next time, the community will be watching.



Supplemental Environmental Impact Statement Needed for the Redesigned, Shortened Rail Plan

On June 3rd of this year, the Honolulu Authority for Rapid Transportation (HART) submitted its "Recovery Plan" to the Federal Transit Administration (FTA). The Recovery Plan documents HART's plans for completing the rail project within the forecasted budget. The changes outlined in the Recovery Plan include: 1) reducing the number of rail stations to 19 from the previously approved 21 stations, ending at Civic Center Station in Kakaako instead of Ala Moana Center; and 2) deferral of the Pearl Highlands Station 1,600-stall parking garage.

These changes would fall significantly outside the scope of the project as analyzed in the 2010 Final Environmental Impact Statement (FEIS) and as subsequently approved by the FTA. In response to HART's revised plan, Hawaii's Thousand Friends wrote to the FTA in June to request that a supplemental EIS be conducted. No response was received. Where does consideration of the environmental impacts of the proposed changes stand?

A September 30th letter to Lori Kahikina, Executive Director and CEO of HART, from the FTA's Ray Tellis, Regional Administrator, communicated the FTA's response to HART's Recovery Plan. It states that "...the FTA finds the Plan sufficient at this time to move forward," but the letter then indicates that the release of further funding is contingent upon environmental analysis of the proposed changes in the new plan:

"Currently, the FTA is undertaking a National Environmental Policy Act (NEPA) re-evaluation of the revised project. Based on the results of that review, the FTA will work with HART to amend the Full Funding Grant Agreement (FFGA) for the reduced scope, once the NEPA re-evaluation concludes, or, if necessary, after a supplemental environmental review is completed."

This suggests that the statement by the FTA that it finds the Recovery Plan "sufficient at this time to move forward" refers to the process of moving on to the next step, which would be environmental review, rather than signifying unqualified approval. The letter further states, "It is also the FTA's intent to obligate the next allotment of \$125 million from the \$744 million in withheld funds at the time of the FFGA amendment." Again, the FFGA amendment depends on the results of the environmental review of the proposed changes in the new project plan.

HART's subsequent September 30th press release announced that the FTA "has approved HART's 2022 Recovery Plan" and that with this approval "HART is now eligible to receive the remaining \$744 million in federal funding under the Full Funding Grant Agreement." Ms. Kahikina expresses HART's gratitude "for the support and communication from the FTA to accept the recovery plan as is and amend the Full Funding Grant Agreement...so that we may see the project through to completion."

Saying, however, that the FTA has approved and accepted the new plan and will amend the Full Funding Grant Agreement (FFGA) stands in contrast to the FTA's statement that it will work with HART to amend the FFGA only after the NEPA re-evaluation is completed and depending on those results, or the results of any additional environmental review deemed necessary. Since the environmental review has not yet been completed, any assertion of FTA approval of the proposed changes and its consent to amend the FFGA appears to be premature. The HART press release does mention briefly at the end that "The FTA is currently conducting an environmental re-evaluation of the truncated scope", but no further details are provided. It is therefore not made clear to the public that receipt of federal funds to implement the new project plan hinges on environmental review.

There are three levels of evaluation and documentation for FTA supplemental environmental reviews under the National Environmental Policy Act: re-evaluations, supplemental environmental assessments, and supplemental environmental impact statements. According to the FTA's website, the level of review "depends on the proposed change or new information, and the significance of the impacts associated with the change or new information." A re-evaluation is the weakest type of review. Notably, a re-evaluation does not require any public input, unlike a supplemental assessment or supplemental EIS.

Given that ending the rail route at Kakaako and the deferral of a massive parking garage at a major hub station represent major changes to the project plan, the most comprehensive level of review is needed: a supplemental EIS.

Termination of the rail route at the Civic Center Station in Kakaako

Stopping the rail line at Civic Center Station would turn this station into a major transfer hub. According to the Recovery Plan, the number of daily boardings is expected to increase 296%, from 3,250 under the original plan to approximately 12,870 (p.40). The new plan includes two new express bus routes connecting Civic Center Station to Ala Moana Transit Center, Waikiki, and UH-Manoa, and new community-circulator buses connecting Civic Center Station to the Pauoa, Pacific Heights, Papakolea, and Makiki neighborhoods. Such an exponential expansion of activity is bound to have significant environmental effects. How will unplanned additional car and bus traffic, loss of parking, and changing traffic patterns impact residents and businesses?

The Recovery Plan appears to brush aside the need for environmental review of this proposed change: "The proposed interim terminus at the Civic Center Station is beyond the most congested areas in the east-west transportation corridor referenced in the FEIS and extends eastward beyond the heart of downtown Honolulu" (p.14). The reality is that Kakaako is densely developed both residentially and commercially and is becoming more so every day. Its streets also tend to be narrow

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Rail Supplemental Environmental Impact Statement

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and ill-suited to major car and bus traffic.

Deferral of the 1,600-stall parking garage at Pearl Highlands Station

In the 2010 FEIS, Pearl Highlands Station is projected to have the second-highest passenger volume of all the project stations. It will be the most convenient station for residents of Central Oahu and will serve as a major transfer point. The transit center and originally-planned parking structure were envisioned to provide easy access to the fixed guideway transit system from the H-1 and H-2 freeways, Kamehameha Highway, and Farrington Highway. According to the Recovery Plan, it is estimated that deferring the parking garage will decrease the number of boardings at the Pearl Highlands Station by 11%.

Relocation of the elevated guideway along Dillingham Boulevard

The Recovery Plan contains other information that also points to the need for a supplemental EIS and raises serious questions about adherence to and enforcement of environmental review requirements. This includes a section of the plan describing the status of construction on Dillingham Boulevard, which lies in the City Center Guideway and Stations (CCGS) operating segment of the project. The plan states that “a decision was made in 2021 to shift a portion of the guideway route to the ‘mauka’ (or mountain) side of the street”, referred to as the “Mauka Shift” (p.11). The approved 2010 FEIS placed the elevated guideway down the middle of Dillingham Boulevard on single columns. Relocation of the guideway to the mauka side of Dillingham Boulevard raises a number of issues that call for and would seem to require a supplemental environmental review under NEPA.

The guideway would now be adjacent to the historic Kapalama Canal Bridge, built in 1930 by the City and County of Honolulu and determined eligible for listing in the National Register of Historic Places (NRHP). How would the close proximity of the guideway affect the integrity of the site, including the factors of setting, feeling, and association discussed in the integrity assessment section of the form describing the site’s NRHP eligibility? The 2010 FEIS identifies Dillingham Boulevard as “high” for Native Hawaiian burials and pre- and post-contact resources. How would placement of columns on the mauka side of the street affect ‘iwi (bones) and cultural artifacts? The Dillingham Mauka Shift requires the removal of 18 historic kamani trees, which were planted in 1931 and are eligible for listing in the NRHP. What would be the environmental, cultural, and historical effects of removing these trees from this new location? What would be the impact on view planes and the impacts of noise and vibration resulting from placing the elevated rail just 12 feet from Honolulu Community College?

In light of the obvious need for environmental review of the Mauka Shift, why was one never done? The statement “a decision was made” leaves this question unanswered.

The Mauka Shift relates directly to plans for utilities relocation on Dillingham, for which “the final design stage was completed”



Mother Waldron Park burial site mauka corner Halekauwila and Cooke Sts 2012

in April 2022 (p.11). Nan, Inc. is expected to begin the utilities relocation work on November 28th. A supplemental EIS should be done on the Mauka Shift and should be completed before any utilities relocation work is allowed to start on Dillingham Boulevard.

Placement of new straddle bents along Halekauwila and Mother Waldron Park

Another change that has been made in the CCGS segment plan that should undergo a supplemental EIS is the movement of straddle bents on Halekauwila Street. This change pertains to the section of the guideway just before the Civic Center Station. A plan alteration was made post-2010 FEIS to move the position of the straddle bent columns closer to Mother Waldron Park, listed in the NRHP since 1988, and an ‘iwi remembrance site.

The 2010 FEIS found that Mother Waldron Park would be visually “adversely affected due to the bulk and scale of the straddle bent guideway and columns, which will contrast significantly with the scale and character of Mother Waldron Neighborhood Park.” In 2012, ‘iwi, found in the area during preparation for the elevated rail, were reinterred in a remembrance site at the corner of Halekauwila Street and Cooke Street within Mother Waldron Park. Repositioning the straddle bent closest to Cooke Street places a pillar perilously close to the interment site. A supplemental EIS is needed to evaluate impacts on Mother Waldron Park and the remembrance site from changing the position of the columns.

In summary, HART and the FTA owe the public clarification of the current status of the environmental review process and the current status of the rail project with regard to the changes proposed in the Recovery Plan. The FTA should elevate the environmental review from a re-evaluation to a supplemental EIS, as warranted by such major alterations to the project. The supplemental EIS should also encompass the Mauka Shift and the placement of new straddle bents along Halekauwila and Mother Waldron Park.

It is evident that stronger FTA oversight and closer FTA attention to the details of the project are needed to ensure that the project adheres to the requirements of NEPA and does not proceed under its radar. In-depth environmental review is essential to protect environmental and historical resources and to include the voices of the public.

President's Report Chuck Prentiss



I want to thank our Board and all members for the volunteer work and support they have contributed to HTF this past year. We continue to be a formative watchdog organization supporting the community's interests in long-range land use planning, zoning, environment and related legal

matters primarily providing review and testimony at all government levels as well as being a party or intervenor in legal cases: for example with short-term rental zoning, sea level rise and protection of sensitive sanctuary areas such as Kawainui marsh. New important issues seem to arise daily and with your continued support we can continue to move forward. Mahalo.

With our public life often reduced to zoom, phone calls and emails, threats to the environment and good land-use planning has multiplied. This requires us to double down and work even harder.

Support HTF by becoming a member, renewing your membership, or make a donation

Your kokua will help us continue to analyze issues, give testimony, and advocate for appropriate, well-planned growth while protecting the environment, human health, and cultural and natural resources in conformity with the law.



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