

DAVID Y. IGE
GOVERNOR OF
HAWAII



SUZANNE D. CASE
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
FIRST DEPUTY

M. KALEO MANUEL
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

Testimony of
SUZANNE D. CASE
Chairperson

Before the House Committee on
WATER, LAND, & HAWAIIAN AFFAIRS

Friday, February 7, 2020
9:30 AM
State Capitol, Conference Room 325

In consideration of
HOUSE BILL 2739
RELATING TO THE KA IWI COAST

House Bill 2739 proposes to transfer lands to the Department of Land and Natural Resources (Department) and establishes that land adjacent, state-owned land as the Ka Iwi coast state park and appropriates funds. **The Department supports the intent of this measure and offers the following comments.**

The Department supports the continued protection and expansion of undeveloped open space in East Oahu. The Department's Division of State Parks (State Parks) currently manages the Kaiwi State Scenic Shoreline which includes the Makapuu Lookout. While the intent is to establish the Ka Iwi State Park – the Kaiwi State Scenic Shoreline is already established and managed by State Parks.

The Department has offered amendments for a House Draft 1 to both reflect the current name of the park unit under consideration for expansion and additional language to clarify both the intent and the staff needs for supporting management expansion.

The Department appreciates the Legislature's understanding and support in that this measure provides additional staff and funding to increase State Park's capacity to expand management responsibility. An additional amendment includes representation by lineal descent of the subject are in the community consultation process.

However, the Department notes that the primary intent is the preservation of open space for its intrinsic value to the community and the Maunaloa-Makapuu scenic byway by designating lands as part of the State Park System, there is a need to recognize and insure that planning effort and

funding include commensurate facility needs such as comfort stations, parking and safe and managed access routes. This is critically pertinent for future lands that may be identified for acquisition from private to public domain.

Additionally, in assuming more jurisdiction, the Department must be cognizant of hazards associated with rockfall, fire, and flooding. While the bill currently specifies a coastal section of land under City and County jurisdiction, future planning and community effort associated with potential mauka expansion needs to address both natural hazards and associated liabilities.

The Department notes that in SECTION 2. (a) the tax map key numbers are not yet identified – and further confirming research needs to be completed to determine the exact extent of expansion of the park unit.

Thank you for the opportunity to preserve open space and to comment on this measure.

A BILL FOR AN ACT

RELATING TO THE KA IWI COAST.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the lands of the Ka
2 Iwi coast and that the Kaiwi State Scenic Shoreline are an
3 invaluable natural asset for the people of Hawaii. Numerous
4 community members and organizations have fought long and hard
5 over many decades to protect and preserve this unspoiled area
6 for future generations.

7 The legislature further finds that a growing interest in
8 this area of Oahu has brought a rapid increase in visitors to
9 the Ka Iwi coast and the Kaiwi State Scenic Shoreline, and
10 without enhanced and sustained [proper] management, both this
11 portion of East Oahu and Kaiwi State Scenic Shoreline [the area]
12 will inevitably become more infested [overrun] by invasive
13 species, [and] unauthorized commercial interests, subject to
14 mounting public health issues associated with a lack of sanitary
15 facilities, an increase in potential rescue do to the public
16 seeking access to unmanaged lands, inadequate parking, a lack of
17 law enforcement to protect both natural and cultural resources,

1 the risk of future wildland fire or become subject to future
2 development.

3 Collaboration between community organizations and
4 government agencies is necessary to address myriad issues, such
5 as these managing human impacts, preventing invasive species,
6 and restoring the Wawamalu dune system by preventing vehicular
7 damage.

8 The purpose of this Act is to protect and preserve the
9 lands of the Ka Iwi coast in perpetuity by allowing for the
10 expansion of Kaiwi State Scenic Shoreline [establishing the Ka
11 Iwi coast state park] for the benefit of local residents and
12 future generations.

13 SECTION 2. (a) Lands spanning Wawamalu to Makapuu at tax
14 map key numbers: , shall be transferred to the
15 department of land and natural resources. These lands, and
16 those adjacent to it that are owned by the State of Hawaii, are
17 designated as a portion of the Kaiwi State Scenic Shoreline
18 [state park under the name "KaIwi coast state park"] to be
19 administered by the department of land and natural resources.

20 (b) All land added to and within the [Ka Iwi coast state
21 park] Kaiwi State Scenic Shoreline shall be designated
22 conservation land. Any land of differing designation shall have
23 its designation automatically changed to conservation.

1 (c) Land in the [Ka Iwi coast state park] Kaiwi state
2 Scenic Shoreline shall, in perpetuity, be preserved primarily in
3 its wild and natural state with minimal structural elements to
4 be planned and implemented for sanitary facilities, parkin and
5 public access.

6 (d) Any land subsequently added to the [Ka Iwi coast state
7 park] Kaiwi state Scenic Shoreline shall be subject to the
8 provisions established in this section.

9 (e) This Act shall be exempt from the requirements of
10 section 171-64.7, Hawaii Revised Statutes.

11 SECTION 3. The following positions are established within
12 the department of land and natural resources:

13 (1) One full-time equivalent (1.0 FTE) property management
14 position; and

15 (2) One full-time equivalent (1.0 FTE) ~~interpretive~~
16 ~~specialist~~ park interpretive technician; and

17 (3) One full-time equivalent (1.0 FTE) park caretaker I.

18 SECTION 4. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$ _____ or so
20 much thereof as may be necessary for fiscal year 2020-2021 for
21 the planning and [establishment of the Ka Iwi coast state park;}
22 expansion of the Kaiwi Coast State Scenic Shoreline provided
23 that the planning and establishment shall:

1 (1) Build upon and reflect the direction of recent work
2 for the Maunalua-Makapuu scenic byway and Ka Iwi coast
3 master plans; and

4 (2) Include stakeholders who helped create the Maunalua-
5 Makapuu scenic byway and Ka Iwi coast master plans as
6 well as others in the local community who are
7 dedicated to the preservation of the lands of the Ka
8 Iwi coast.

9 (3) Include lineal descendants from the moku of the
10 proposed areas for expansion of Kaiwi State Scenic
11 Shoreline identified by the Aha Moku Program within
12 the department of land and natural resources.

13 The sum appropriated shall be expended by the department of
14 land and natural resources for the purposes of this Act.

15 SECTION 5. This Act shall take effect on July 1, 2020.

16

INTRODUCED BY: _____

17

Report Title:

Ka Iwi Coast State Park; DLNR; Appropriation

Description:

Transfers lands to DLNR and establishes that land and adjacent, state-owned land as the Ka Iwi coast state park. Appropriates funds.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

HB-2739

Submitted on: 2/4/2020 10:06:20 PM

Testimony for WLH on 2/7/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alexandra Kahn	Surfrider Oahu	Support	No

Comments:

Aloha Chair Yamane,

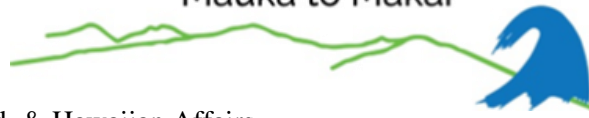
Our island is small and crowded and there isn't much coastal land left where there are no houses. This stretch of land is one of the most beautiful parts of Oahu, but there are areas of this coastline that would be convenient for development if the opportunity was available. Therefore, I agree that it's imperative to protect this land and keep it the way it is for generations to come.

Thank you for considering this bill.

Alexandra Kahn, Surfrider Oahu

Ka Iwi Coalition

Mauka to Makai



Committee On Water, Land, & Hawaiian Affairs
Rep. Ryan I. Yamane, Chair
Rep. Chris Todd, Vice Chair

Committee Hearing
Friday, February 7, 2020
Conference Room 325, Hawai'i State Capitol
415 South Beretania Street

Re: Testimony In Support Of HB 2739 - Relating To The Ka Iwi Coast

Chair Yamane, Vice Chair Todd, and Members of the Committee on Water, Land, and Hawaiian Affairs,

As advisors of the Ka Iwi Coalition, we are writing in **support** of HB 2739, which will keep the Ka Iwi Coastline in its wild and natural state for future generations.

Our community has spent over 45 years across multiple generations to protect the Ka Iwi Coastline mauka to makai. The Ka Iwi Coalition is part of the same group of community members who led the successful Save Sandy Beach Movement in the 1980s and fought to preserve the entire Maunalua-Makapu'u corridor over the past 40 years. In 2017, the Ka Iwi Coalition received a Legacy Conservation Program grant to acquire 182 acres of land overlooking Makapu'u to Sandy Beach. We successfully led the successful grassroots fundraising campaign that garnered over 1,600 donors and nearly \$700,000 in three months to secure the conservation purchase. This history of community activism demonstrates strong public support for the continued stewardship of the Ka Iwi Coastline.

HB 2739 will address the challenges that the Department of Land & Natural Resources and community partners currently face in stewarding the Ka Iwi Coastline. The bill will transfer management of the makai parcels of Wawamalu to the Department of Land & Natural Resources and ensure consistency that all parcels across the Ka Iwi Coastline are designated as conservation by the State of Hawai'i. HB 2739 will also appropriate adequate staffing to maintain the Ka Iwi Coast state park.

Finally, HB 2739 dictates that future master planning of the Ka Iwi Coast state park builds upon the vision of community partners and stakeholders who have fought for over 45 years to protect the coastline. As noted in the bill, we hope that the Department of Land & Natural Resources incorporates the Maunalua-Makapuu scenic byway plan, which was drafted by members of the Ka Iwi Coalition among a diverse group of stakeholders. HB 2739 will foster future collaboration between the State of Hawai'i and community partners to steward the Ka Iwi Coast state park.

HB 2739 recognizes the many years of community activism spent to protect the Ka Iwi Coastline from urban development, including hotel resorts, golf courses, and cabins. We urge you to pass HB 2739.

Thank you for giving us the opportunity to submit testimony in support of HB 2739.

Phil Estermann
Advisor
(808) 227-9390

Gary Gill
Advisor
(808) 366-8950

Kendrick S. Chang
Community Outreach
(808) 627-2758

HB-2739

Submitted on: 2/6/2020 7:58:55 AM

Testimony for WLH on 2/7/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lisa Bishop	Friends of Hanauma Bay	Support	No

Comments:

HOUSE COMMITTEE ON WATER, LAND AND HAWAIIAN AFFAIRS (WLH)

Representative Ryan Yamane, Chair

Representative Chris Todd, Vice Chair

Re: HB2739 RELATING TO THE KA IWI COAST

Hearing: Friday, February 7, 2020 9:30 am Room 325

Position: STRONG SUPPORT

Aloha Chair Yamane, Vice Chair Todd, and Committe members,

Friends of Hanauma Bay is a proud member of the Ka Iwi Coalition. We thank you for the opportunity to testify in STRONG SUPPORT of HB2739, which will keep the Ka Iwi Coastline in its wild and natural state for future generations.

Our community has spent over 45 years across multiple generations to protect the Ka Iwi Coastline mauka to makai. The Ka Iwi Coalition is part of the same group of community members who led the successful Save Sandy Beach Movement in the 1980s and fought to preserve the entire Maunaloa-Makapu'u corridor over the past 40 years. In 2017, the Ka Iwi Coalition received a Legacy Conservation Program grant to acquire 182 acres of land overlooking Makapu'u to Sandy Beach. As a member of the Ka Iwi Coalition, I was part of the successful grassroots campaign that garnered over 1,600 donors and nearly \$700,000 to supplement the purchase. This history of community activism demonstrates strong public support for the continued stewardship of the Ka Iwi Coastline.

HB2739 will address the challenges that the Department of Land & Natural Resources and community partners currently face in stewarding the Ka Iwi Coastline. This bill will transfer management of the makai parcels of Wawamalu to the Department of Land & Natural Resources and ensure consistency that all parcels across the Ka Iwi Coastline

are designated as conservation by the State of Hawai'i. HB2739 will also appropriate adequate staffing to maintain the Ka Iwi Coast state park.

Finally, HB2739 dictates that future master planning of the Ka Iwi Coast state park builds upon the vision of community partners and stakeholders who have fought for over 45 years to protect the coastline. I am hopeful that the Department of Land & Natural Resources incorporates the Maunalua-Makapuu scenic byway plan, which was drafted by members of the Ka Iwi Coalition among a diverse group of stakeholders. HB2739 will foster future collaboration between the State of Hawai'i and community partners to steward the Ka Iwi Coast state park.

HB2739 recognizes the many years of community activism spent to protect the Ka Iwi Coastline from urban development, including hotel resorts, golf courses, and cabins.

We urge you to support and pass HB2739.

Respectfully,

Lisa Bishop

President

Friends of Hanauma Bay

HB-2739

Submitted on: 2/6/2020 2:49:49 PM

Testimony for WLH on 2/7/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Adrienne	Ka Iwi Coalition	Support	No

Comments:

Aloha Chair Yamane, Vice Chair Todd, and Members of the Committee on Water, Land, and Hawaiian Affairs,

I was a member of the Ka Iwi Action Council going back to the mid-90s when my family moved to Kalama Valley. I recall Sam and I drove from our then townhouse in Kaneohe to Sandy Beach to check out the zoning issue sought to build condos on the mauka side of the highway. We voted against the condos at this location. It was after that vote the legislature changed the law to disallow such community input. But the people in East Honolulu were not to be denied. Intense and persistent committed activism saved Sandy Beach and the coast from development that would have been detrimental to its value.

As a continuing member of the now-called Ka Iwi Coalition, I'm writing in support of HB 2739, to protect the Ka Iwi Coastline for future generations to enjoy in its wild and natural state.

In 2017, the Ka Iwi Coalition received a Legacy Conservation Program grant to acquire 182 acres of land overlooking Makapu'u to Sandy Beach. I was part of the successful grassroots campaign that garnered over 1,600 donors and nearly \$700,000 to supplement the purchase. I donated \$1000 to this effort. Need I say, this community puts it money where its mouth is and demonstrates our commitment for continued responsible stewardship of the Ka Iwi Coastline.

HB 2739 will address the challenges that the Department of Land & Natural Resources and community partners currently face in stewarding the Ka Iwi Coastline. It appears this bill intends to transfer management of the makai parcels of Wawamalu to the Department of Land & Natural Resources and thus ensure consistency that all parcels across the Ka Iwi Coastline are designated as conservation by the State of Hawai'i.

HB 2739 will also appropriate adequate staffing to maintain the Ka Iwi Coast state park.

Finally, HB 2739 dictates that future master planning of the Ka Iwi Coast state park builds upon the vision of community partners and stakeholders who have fought for over 45 years to protect the coastline. We expect the legislature and the Department of Land & Natural Resources will continue to work with us to incorporate the Maunalu-

Makapuu scenic byway plan, which was drafted by members of the Ka Iwi Coalition among a diverse group of stakeholders.

HB 2739 will foster future collaboration between the State of Hawai'i and community partners to steward the Ka Iwi Coast state park.

HB 2739 recognizes the many years of community activism spent to protect the Ka Iwi Coastline from urban development, including hotel resorts, golf courses, and cabins. Let us not forget too, that this coast was hit by the same tsunami that devastated Laupahoehoe....and many don't know that the road behind Makapuu was under water—yes—that road above Makapuu was under water and the Allen Davis property on the other side of Makapuu was destroyed. The entire coast was affected. So developing that area is not a good idea.

I urge you to pass HB 2739.

Thank you for giving me the opportunity to submit testimony in support of HB 2739.

Adrienne King, Esq.



Website

www.hawaiiikaihui.org
www.kaiwicoast.org

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Livable Hawaii Kai Hui
Aloha 'Aina 'O Kamilo Nui
Ka Iwi Coast

Like us on Instagram

@livablehawaiiikaihui

Like us on Twitter

@hawaiiikaihui



Ka Iwi Coalition

Mauka to Makai



A COMMUNITY DRIVEN, VOLUNTEER-BASED RESTORATION PROJECT.

*Hānua Heiān Complex
& Keawāwā Wetland*

CELEBRATE THE CULTURAL AND NATURAL RESOURCES OF YOUR COMMUNITY!

Livable Hawaii Kai Hui is a 501c(3) non-profit, community organization serving East Honolulu since 2004. We strive to promote sensible growth, respect for cultural & natural resources and upholding the integrity of the East Honolulu Sustainable Communities Plan.

February 5, 2020

Committee on Water, Land, & Hawaiian Affairs
Hearing on February 7, 2020 at 9:30 a.m.
Conference Room 325, Hawai'i State Capitol

Aloha Chair Yamane, Vice Chair Todd, and respected Committee Members,

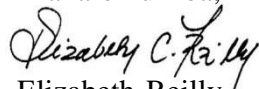
Livable Hawaii Kai Hui proudly stewards the Ka Iwi Coast Mauka Lands with the help and support of communities not only in East Honolulu, but also across Southeast O'ahu and the entire island. As an organizing member of the Ka Iwi Coalition and contributor to the Maunaloa-Makapu'u State Scenic Byway (MMSB) Corridor Management Plan, Livable Hawaii Kai Hui takes interest in HB 2739 regarding the proposed "Ka Iwi Coast State Park."

The Hui is excited to see the State taking up such an initiative that aims to protect and preserve the cultural and natural resources of Ka Iwi Coast, particularly one that mindfully seeks to engage community members and stakeholders in the planning process and beyond. That said, while the Hui is happy with HB 2739's stated goal of designating the properties in question as conservation land and incorporating language about the MMSB and Ka Iwi Coast master plans, we do hold some reservations about the bill as written and hope that proper amendments are made before its approval by the Committee and final passage.

Chief among our concerns is that the bill fails to specify the tax map key numbers that define which lands between Wāwāmalu and Makapu'u will be included and clarification as to why this measure calls for creating a *new* State Park as oppose to *expanding the existing State Park boundary*. We also wonder why the bill makes no reference to the East Honolulu and Ko'olaupoko Sustainable Communities Plan.

For all the reasons stated above, Livable Hawaii Kai Hui wishes to express its tentative support of HB 2739. We hope this Committee seriously considers the points put forth in this testimony and coordinates with other legislators to address them prior to the bill's final passage by the House.

Mahalo nui loa,


Elizabeth Reilly

President, Livable Hawaii Kai Hui

HB-2739

Submitted on: 2/4/2020 6:25:17 PM

Testimony for WLH on 2/7/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl	Individual	Support	No

Comments:

As I read this bill, it means that we are continuing our protections of the Ka Iwi Coast. People fought long and hard to protect that area and it's important this continues. I am reluctant to put the DLNR in charge of anything due to their lack of personnel and follow up of rules (even when given them) but it appears there is no other choice? We have to have someone overseeing this and keeping them accountable. Already there is so much abuse by tour companies and visitors, we have to stay on top of it.

HB-2739

Submitted on: 2/4/2020 7:59:03 PM

Testimony for WLH on 2/7/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Benton Kealii Pang, Ph.D.	Individual	Support	No

Comments:

As a resident of Honolulu who has spent time restoring coastal vegetation and endangered yellow-faced bee habitat along the Ka Iwi Coast, I support HB2739.

Testimony before
COMMITTEE ON WATER, LAND & HAWAIIAN AFFAIRS

Rep. Ryan I. Yamane, Chair
Rep. Chris Todd, Vice Chair

Rep. Sharon E. Har
Rep. Nicole E. Lowen
Rep. David A. Tarnas
Rep. Tina Wildberger
Rep. Gene Ward

HB 2739 RELATING TO THE KA IWI COAST

Hearing scheduled for 9:30 AM February 7, 2020

Chair Yamane and Vice Chair Todd

I am strongly in favor of the House Bill 2739.

The region on the Kaiwi Coast between City's Sandy Beach Park and States Kaiwi Scenic Shoreline that is identified as Wāwāmalu Beach on many maps. Currently it is a no-mans-land of joy riding vehicles through its area of natural features—native vegetation, sand dunes, shoreline rocks and a white sand beach. The depredation of the natural features is severe. I attach a pictorial report of my 3 PM visit to Wāwāmalu Beach January 27th.

This area is a natural habitat for monk seals. Endangered monk seals, one of only two mammals native to Hawaii, must come on shore to rest and give birth. And the vehicle joyriding day and night puts them in jeopardy.

On the other hand, the neighboring State Ka Iwi Scenic Shoreline is a protected paradise for natural Hawaiian shoreline features. Therefore it would be a capital move to conjoin the state's land with Wāwāmalu Beach and extend state's steward ship of natural features there.

The Kaiwi coast is one of State's Scenic Byways. And the lands along a scenic byway are to be protected and recovered where necessary—not destroyed the way it's happening daily. Please support this HB 2739

Yours truly,

William Reese Liggett,

4947 Maunalani Circle, Honolulu, 96816

Attachment follows: Pictorial report of depredation at Wāwāmalu Beach on Kaiwi Coast

Depredation of Wāwāmalu Beach: Update

(pictures as of 3 PM, January 27, 2020)

- Wāwāmalu Beach is made up of six TMK parcels or parts of parcels owned by City or leased to City from State
- Wāwāmalu Beach is bordered by City's Sandy Beach Park to the west and State's KA`IWI Scenic Shoreline (DLNR/DSP) to the east and lies between Kalaniana`ole Highway and the Kaiwi Channel
- The intersection of Kealahou Street and Kalaniana`ole Hwy sits at the midpoint of Wāwāmalu Beach.
- Wāwāmalu Beach is positioned near the midpoint of the State's Maunaloa-Makapu`u Scenic Byway (DOT). Scenic Byways are established to recognize, **preserve**, and enhance locally-significant corridors featuring archaeological, cultural, historic, **natural**, recreation, and/or **scenic** qualities.
- There have been no known actions by City Parks since the October 29, 2019 promulgation of **HAWAII KAI NEIGHBORHOOD BOARD #1 RESOLUTION NO. 19-02 REQUESTING THE DEPARTMENT OF PARKS AND RECREATION, CITY AND COUNTY OF HONOLULU, TO PROTECT THE NATURAL FEATURES OF WĀWĀMALU BEACH.** (see page 6)



Devastation of Native-Vegetated, Dune System Continues at Wāwāmalu Beach



Contrasted to regenerated dunes at state's adjacent KA`IWI Scenic Shoreline (file photo). This is what Wāwāmalu Beach could look like.



Camping or Homeless or Squatter?



There is no signage forbidding these illegal acts at Wāwāmalu Beach.



Abandoned Construction Debris



Multi-Tracked from driving on the beach (monk seal habitat)



There is no sign prohibiting driving on the beach at Wāwāmalu Beach.

TMKs for HB 2739

The following TMKs compose the strip identified as Wāwāmalu [Beach] per *Bryans Sectional Map of Oahu* page 20 (between Alan Davis and the east boundary of Sandys):

Heading west from Alan Davis (western boundary of State's Ka Iwi Scenic Shoreline):

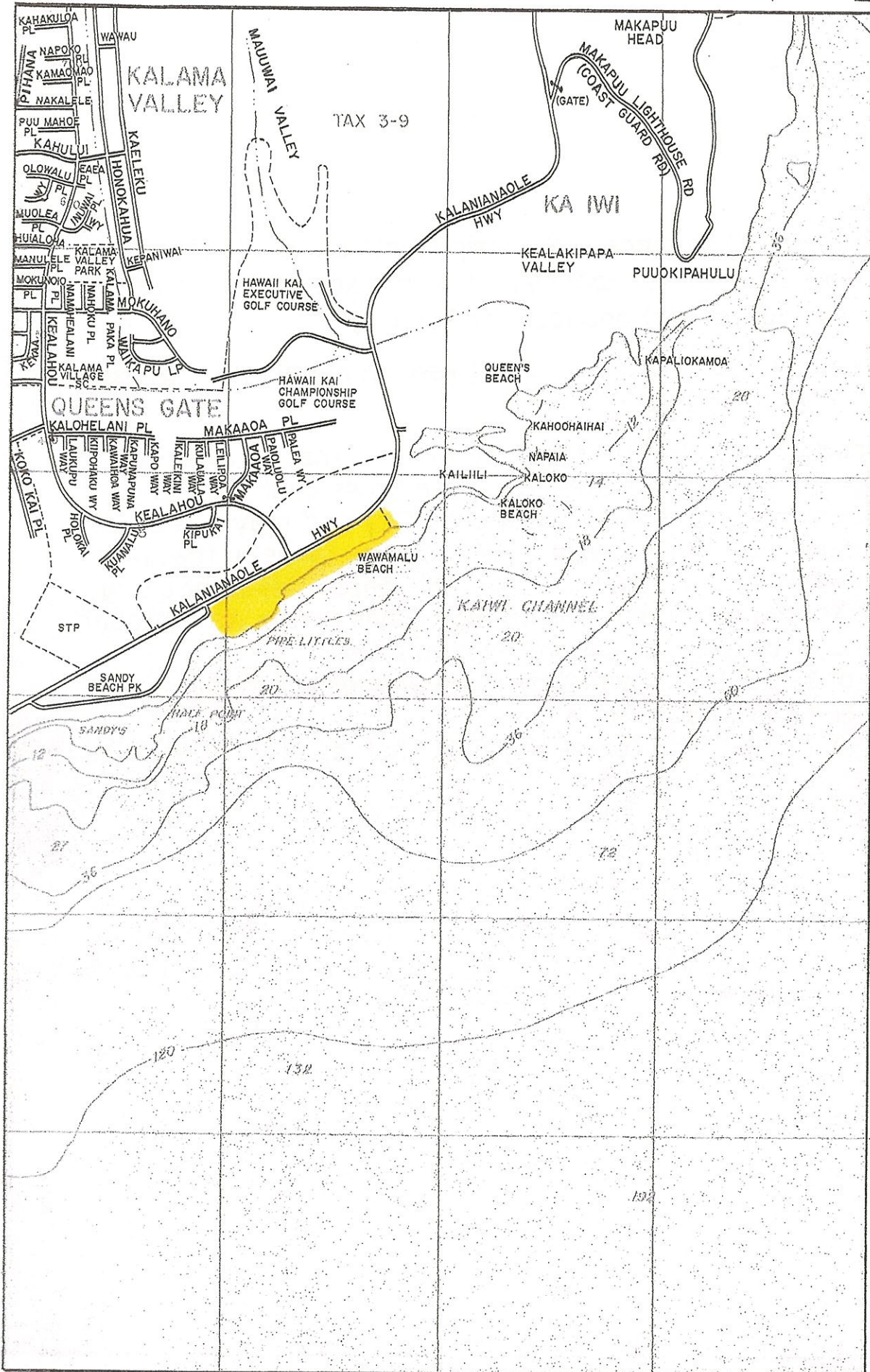
1. A portion of 1-3-9-10-3 (owned by City, that is, a portion of 8.04 acres that stretches from Alan Davis over into Sandys)
2. A portion of 1-3-9-12-2 (owned by City and maybe leased to Oceanic Time warner Cable (\$0 property taxes?), that is, a portion of 508.75 acres). Note: this parcel lies right along the shore and stretches from Alan Davis all the way through Sandys and beyond toward Hanauma Bay.
3. All of 1-3-9-10-2 (owned by State and leased to City, that is, all of 42,123 sq. ft)
4. All of 1-3-9-15-20 (owned by City, that is, all of 17,555 sq. ft)

Now it becomes hard to determine exact TMKs as we are at or near the east end of Sandys.

5. Maybe all of 1-3-9-15-19 (owned by State and leased to City, that is, all or a portion of 5,140 sq. ft)
6. Maybe a small portion of 1-3-9-15-1 (owned by City, that is, maybe a small portion of 9.33 acres)

William Reese Liggett

222.2088c





**U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE**

Pacific Islands Regional Office
1845 Wasp Blvd., Bldg 176
Honolulu, Hawaii 96818
(808) 725-5000 • Fax: (808) 725-5215

October 28, 2019

Mr. William Reese Liggett
Transmitted via Email

Dear Mr. Liggett:

I am sending this letter in response to our October 24, 2019, telephone conversation and your subsequent email regarding vehicles driving on the beach at Wawamalu, Oahu.

As the federal agency responsible for the management and recovery of endangered Hawaiian monk seals, we at NOAA Fisheries are indeed concerned that vehicles driving on the beach at Wawamalu could injure or kill a monk seal, especially at night when visibility would be a challenge.

There are only about 1,400 Hawaiian monk seals in the entire population, and only about 300 seals in the main Hawaiian Islands, so even one un-natural death is a cause for concern. A seal death or injury caused by a vehicle would trigger a law enforcement investigation and potential enforcement action, since Hawaiian monk seals are protected under the Marine Mammal Protection Act and Endangered Species Act.

Wawamalu Beach, and the entire Kaiwi shoreline area, is frequently used by monk seals for resting, molting, and nursing their pups. Over the past eight years, there have been at least four monk seals born at Allen Davis, which as you know, is adjacent to Wawamalu. We were recently sent the enclosed photos by a concerned citizen showing a seal lying adjacent to tire tracks and active vehicles at Wawamalu.

We believe Hawaiian monk seal management and recovery can be achieved in concert with a wide variety of resource uses, including recreational activities on our beaches and shorelines. Our [Main Hawaiian Islands Monk Seal Management Plan](#) specifies a community-based stewardship approach to successfully address monk seal management issues. We would be happy to work with you and anyone engaged in coastal management efforts to address monk seal management issues, including vehicles driving on beaches.

Thank you for your interest in protecting Hawaiian monk seals. Please feel free to contact me anytime at: (808) 725-5160, or jeff.walters@noaa.gov.

Sincerely,

WALTERS.JEFFREY.S.1392207542

Digitally signed by
WALTERS.JEFFREY.S.1392207542
Date: 2019.10.29 09:42:10 -10'00'

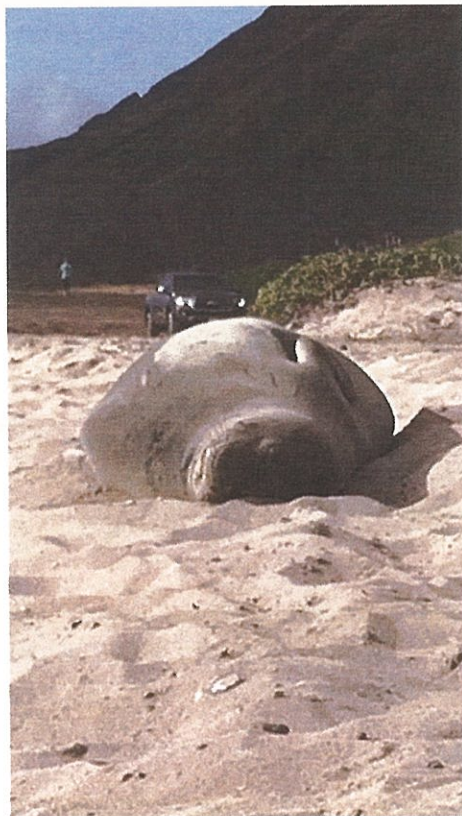
Jeffrey S. Walters, Ph.D.
Branch Chief, Wildlife Management and Conservation Branch

Enclosure



Enclosure to letter to Mr. Liggett from Jeff Walters, October 28, 2019.

Photos of monk seals and vehicles tracks at Wawamalu in the area where vehicles drive on the beach.



HB-2739

Submitted on: 2/5/2020 7:57:00 PM

Testimony for WLH on 2/7/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dylan Ramos	Individual	Support	No

Comments:

Aloha Chair Yamane, Vice Chair Todd, and Members of the Committee on Water, Land, and Hawaiian Affairs,

As a member of the Ka Iwi Coalition, I'm writing in **tentative support** of HB 2739, which will keep the Ka Iwi Coastline in its wild and natural state for future generations. While I believe the bill in its current form requires amendment -- particularly to specify the TMKs, place a cap on funding, possibly remove the exemption from HRS 171-64.7, and specify the ways by which community stakeholders and land management plans will be engaged -- HB 2739 sets forth an important and valuable precedent for Ka Iwi that deserves consideration and passage by this Committee.

Our community has spent over 45 years across multiple generations to protect the Ka Iwi Coastline mauka to makai. The Ka Iwi Coalition is part of the same group of community members who led the successful Save Sandy Beach Movement in the 1980s and fought to preserve the entire Maunaloa-Makapu'u corridor over the past 40 years. In 2017, the Ka Iwi Coalition received a Legacy Conservation Program grant to acquire 182 acres of land overlooking Makapu'u to Sandy Beach. As a member of the Ka Iwi Coalition, I was part of the successful grassroots campaign that garnered over 1,600 donors and nearly \$700,000 to supplement the purchase. This history of community activism demonstrates strong public support for the continued stewardship of the Ka Iwi Coastline.

HB 2739 will address the challenges that the Department of Land & Natural Resources and community partners currently face in stewarding the Ka Iwi Coastline. This bill will transfer management of the makai parcels of Wawamalu to the Department of Land & Natural Resources and ensure consistency that all parcels across the Ka Iwi Coastline are designated as conservation by the State of Hawai'i. HB 2739 will also appropriate adequate staffing to maintain the Ka Iwi Coast state park.

Finally, HB 2739 dictates that future master planning of the Ka Iwi Coast state park builds upon the vision of community partners and stakeholders who have fought for over 45 years to protect the coastline. I am hopeful that the Department of Land & Natural Resources incorporates the Maunaloa-Makapuu scenic byway plan, which was drafted by members of the Ka Iwi Coalition among a diverse group of stakeholders. HB 2739

will foster future collaboration between the State of Hawai'i and community partners to steward the Ka Iwi Coast state park.

HB 2739 recognizes the many years of community activism spent to protect the Ka Iwi Coastline from urban development, including hotel resorts, golf courses, and cabins. I urge you to pass HB 2739.

Thank you for giving me the opportunity to submit testimony in support of HB 2739.

Mahalo,
Dylan Ramos
Kaimuki, HD 19 (formerly Hawaii Kai, HD 17)

HB-2739

Submitted on: 2/5/2020 8:20:58 PM

Testimony for WLH on 2/7/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Joanna Maile Pokipala	Individual	Support	No

Comments:

I support HB2739

HB-2739

Submitted on: 2/5/2020 9:14:53 PM

Testimony for WLH on 2/7/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
LUCIEN WONG	Individual	Support	No

Comments:

Aloha Chair Yamane, Vice Chair Todd, and Members of the Committee on Water, Land, and Hawaiian Affairs,

As a member of the Ka Iwi Coalition, I'm writing in support of HB 2739, which will keep the Ka Iwi Coastline in its wild and natural state for future generations.

Our community has spent over 45 years across multiple generations to protect the Ka Iwi Coastline mauka to makai. The Ka Iwi Coalition is part of the same group of community members who led the successful Save Sandy Beach Movement in the 1980s and fought to preserve the entire Maunalua-Makapu'u corridor over the past [40 years](#). [In 2017, the Ka Iwi Coalition received](#) a Legacy Conservation Program grant to acquire 182 acres of land overlooking Makapu'u to Sandy Beach. As a member of the Ka Iwi Coalition, I was part of the successful grassroots campaign that garnered over 1,600 donors and nearly \$700,000 to supplement the purchase. This history of community activism demonstrates strong public support for the continued stewardship of the Ka Iwi Coastline.

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Resources incorporates the Maunalua-Makapuu scenic byway plan, which was drafted by members of the Ka Iwi Coalition among a diverse group of stakeholders. HB 2739 will foster future collaboration between the State of Hawai'i and community partners to steward the Ka Iwi Coast state park.

HB 2739 recognizes the many years of community activism spent to protect the Ka Iwi Coastline from urban development, including hotel resorts, golf courses, and cabins. I urge you to pass HB 2739.

Thank you for giving me the opportunity to submit testimony in support of HB 2739.

Mahalo,

HB-2739

Submitted on: 2/5/2020 10:36:43 PM

Testimony for WLH on 2/7/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mariko Jackson	Individual	Support	No

Comments:

I am in support of this bill as it protects Ka Iwi from commercial interests and preserves it! Please support this bill to consider the avoidance of future struggle over land use that will inevitably occur if developers see it as "up for grabs". Thank you to those who saw the need to proactively protect it and prepared this bill!

HB-2739

Submitted on: 2/6/2020 6:50:36 AM

Testimony for WLH on 2/7/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Greg Schmidt	Individual	Support	No

Comments:

I've been working with the DLNR now for ~ 14 years on the preservation of Ka Iwi. With the DLNR as a supporting member of the community and Ka Iwi, together we have put barriers in to prevent illegal off road driving in the shoreline area, established designated trash pick up location with cans, worked with DOCARE to prevent homeless encampments, kept the Wawamalu bridge from being trashed and tagged by painting over the tagging, reduced illegal beach fires by picking up wooden pallets, fire prevention by grass and brush removal for fire trails and a host of other things. Over time I've personally seen the Ka Iwi Scenic Shoreline transition from a trashed beach area to one that I'm proud to live next door to. There are not many sections of land on the coast that have managed to stay undeveloped and natural. The Ka Iwi Scenic Shoreline needs stewardship, resources and a budget for maintenance.

The community has spent 45 years trying to protect the Ka Iwi coastline mauka to makai. Help us keep the Ka Iwi coastline environmentally natural for all residents to enjoy and so one day our grandchildren can also enjoy this land.

Mahalo for considering my testimony on bill HB 2739.

Greg Schmidt

Hawaii Kai

HB-2739

Submitted on: 2/6/2020 7:07:09 AM

Testimony for WLH on 2/7/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Peggy Oyama	Individual	Support	No

Comments:

Aloha Chair Yamane, Vice Chair Todd, and Members of the Committee on Water, Land, and Hawaiian Affairs,

As a supporter of the Ka Iwi Coalition, I'm writing in support of HB 2739, which will keep the Ka Iwi Coastline in its wild and natural state for future generations.

Our community has spent over 45 years across multiple generations to protect the Ka Iwi Coastline mauka to makai. The Ka Iwi Coalition is part of the same group of community members who led the successful Save Sandy Beach Movement in the 1980s and fought to preserve the entire Maunaloa-Makapu'u corridor over the past 40 years. In 2017, the Ka Iwi Coalition received a Legacy Conservation Program grant to acquire 182 acres of land overlooking Makapu'u to Sandy Beach. The Ka Iwi Coalition was part of the successful grassroots campaign that garnered over 1,600 donors and nearly \$700,000 to supplement the purchase. This history of community activism demonstrates strong public support for the continued stewardship of the Ka Iwi Coastline.

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HB 2739 recognizes the many years of community activism spent to protect the Ka Iwi Coastline from urban development, including hotel resorts, golf courses, and cabins. I urge you to pass HB 2739.

Thank you for giving me the opportunity to submit testimony in support of HB 2739.

Mahalo,

Peggy Oyama
1072 Kaumoku Street
Honolulu, HI 96825
(Hawaii Kai)

HB-2739

Submitted on: 2/6/2020 7:32:01 AM

Testimony for WLH on 2/7/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Valerie Moore	Individual	Support	No

Comments:

HB-2739

Submitted on: 2/6/2020 9:05:37 AM

Testimony for WLH on 2/7/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Malia Marquez	Individual	Support	Yes

Comments:

Please support HB2739 in protection of the Ka'iwi Coast. I am the daughter of the late Shirley Lum who was a part of the original "protectors" of this land. It is important to make sure their hard efforts (and the many efforts of so many people) get the "seal on the deal". Leave this coast line alone and make sure it is protected forever. I will be there tomorrow with written testimony but would like to get my name on record for SUPPORT of HB 2739. Mahalo for your time.

HB-2739

Submitted on: 2/6/2020 9:19:16 AM

Testimony for WLH on 2/7/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Elaine Dobashi	Individual	Support	No

Comments:

Aloha Chair Yamane, Vice Chair Todd, and Members of the Committee on Water, Land, and Hawaiian Affairs,

As the leader of a community group who has worked closely with Ka Iwi Coalition over the years, I'm writing in support of HB 2739, which will keep the Ka Iwi Coastline in its wild and natural state for future generations.

Our community has spent over 45 years across multiple generations to protect the Ka Iwi Coastline mauka to makai. The Ka Iwi Coalition is part of the same group of community members who led the successful Save Sandy Beach Movement in the 1980s and fought to preserve the entire Maunalua-Makapu'u corridor over the past 40 years. In 2017, the Ka Iwi Coalition received a Legacy Conservation Program grant to acquire 182 acres of land overlooking Makapu'u to Sandy Beach. As a member of the Ka Iwi Coalition, I was part of the successful grassroots campaign that garnered over 1,600 donors and nearly \$700,000 to supplement the purchase. This history of community activism demonstrates strong public support for the continued stewardship of the Ka Iwi Coastline.

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HB 2739 recognizes the many years of community activism spent to protect the Ka Iwi Coastline from urban development, including hotel resorts, golf courses, and cabins. I urge you to pass HB 2739.

Thank you for giving me the opportunity to submit testimony in support of HB 2739.

Mahalo,

Elaine Dobashi

Honolulu, HI 96825

HB-2739

Submitted on: 2/6/2020 8:45:46 AM

Testimony for WLH on 2/7/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Art Mori	Individual	Support	No

Comments:

I have personally been involved in many efforts to preserve this beautiful stretch of land. Those efforts have prevented hotel construction and irresponsible developments among other things. Please make the area a state park and reward the efforts of so many over so many years.

Mahalo.

HB-2739

Submitted on: 2/6/2020 8:57:38 AM

Testimony for WLH on 2/7/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Levani	Individual	Support	No

Comments:

To: Committee on Water, Land, and Hawaiian Affairs

Dear Representative Ryan I. Yamane and Representative Chris Todd,

I am writing in support of HB 2739 which will keep Ka Iwi Coastline in its natural state for generations. I strongly support the establishment and creation of a state park so that our families and visitors may enjoy pristine and open nature.

I joined the Save Ka Iwi Coast effort several years ago when there were widespread community concerns that the mauka lands would be developed and turned into luxury homes and condos. This part of the island (the scenic Ka Iwi Coast) drive is one of the most unique features of our islands. It should be preserved as open space.

I support the transfer of lands to DLNR provided that the agency's efforts will only be strengthened by collaboration and partnership with community based organizations and local nonprofits such as Livable Hawaii Kai Hui which has done an excellent job in their stewardship and outreach to the public. This area is also has a great deal of cultural importance. It is important that these lands be protected. It is important that we cultivate the natural environment and habitat for our wildlife and our trees.

I urge you to strongly consider supporting Bill 2739 to create the Ka Iwi Coast State Park. Protecting our 'aina will help humanity to thrive.

Thank you for your consideration.

Aloha,

Levani Lipton

HB-2739

Submitted on: 2/6/2020 1:54:40 PM

Testimony for WLH on 2/7/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Shaheen Mulkern	Individual	Support	No

Comments:

HB-2739

Submitted on: 2/6/2020 1:55:51 PM

Testimony for WLH on 2/7/2020 9:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Mulkern	Individual	Support	No

Comments:

HB-2739

Submitted on: 2/7/2020 6:05:40 AM

Testimony for WLH on 2/7/2020 9:30:00 AM



Submitted By	Organization	Testifier Position	Present at Hearing
Randy Ching	Individual	Support	No

Comments:

Aloha Chair Yamane, Vice Chair Todd, and Members of the Committee,

I support HB2739, which will keep the Ka Iwi Coastline in its wild and natural state for future generations. I was involved in the effort to keep the mauka lands protected from development and have participated in numerous beach cleanups along the Ka Iwi shore. I also have been on several service projects to protect a small native plant garden at the Makapuu end of Sandy Beach. I have hiked Koko Crater many times and been in the City botanical garden numerous times. I'm familiar with the area and it is definitely worth caring for.

Please pass HB2739. Mahalo for the opportunity to testify.

Randy Ching

Honolulu