



## MAKAKILO/KAPOLEI/HONOKAI HALE NEIGHBORHOOD BOARD NO. 34

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### **DRAFT REGULAR MEETING MINUTES WEDNESDAY, AUGUST 23, 2017 KAPOLEI HALE – CONFERENCE ROOM**

**CALL TO ORDER:** Chair Pro Tem Evelyn Souza called the meeting to order at 7:00 p.m. **Quorum was established with seven (7) members present.** Note – This nine (9) member board requires five (5) members to establish quorum and take official Board action.

**Board Members Present:** Evelyn Souza, Dean Kalani Capelouto, Kioni Dudley, Jack Legal, Scott Stensrud, Melanie Gonzalez and Kanani Wond.

**Board Members Absent:** Troy C. Cullen.

**Guests:** Lieutenant Trent Umano (Honolulu Police Department); Timothy Hiu (Deputy Director of the Department of Planning and Permitting, Mayor Kirk Caldwell's Representative); Rock Riggs (Senator Mike Gabbard's Office); Pat Lee (Honolulu Authority on Rapid Transit); Steve Vendt (Hawaiian Railway); Kathy Davenport, Marc Earley (Councilmember Kymberly Pine's Office); Lance Tanaka (Par Hawaii); Eric Davis (Hawaii Skatepark Association); Rian Adachi (BWS); Sam Izumi (DOE, Mauka Lani Elementary School); Victor Flint (NauFac); Kim Cook, Dana Manners (U.S. VETS) John Bond, Mike Lee, Svea Breeberg, Frank Genadio, Thad Spreg (Residents); Aran Wilson (Neighborhood Commission Office).

**ROLE CALL:** The Neighborhood Assistant took the role. Seven (7) members were present.

### **APPROVAL OF MINUTES**

**Approval of the Wednesday, July 26, 2017 regular meeting minutes were approved by UNANIMOUS CONSENT 7-0-0; (AYE:** Souza, Capelouto, Legal, Stensrud, Gonzalez, Wond, Dudley; **NAY:** None; **ABSTAIN:** None.)

**Hearing no objections, Chair Pro Tem Souza took the agenda item "Election of Officers" out of order.**

### **ELECTION OF OFFICERS**

**Election of Chair (Five (5) votes required for election):** Chair Pro Tem Souza opened the nominations. Legal nominated Scott Stensrud. Capelouto nominated Kioni Dudley. Hearing no objection, the nominations were closed.

- **Stensrud:** Stensrud briefly spoke about how he wants the Board to represent the whole community, one that runs efficiently and allows for people from all sides to speak and be respected in accordance with the rules of the Neighborhood Commission Office (NCO).
- **Dudley:** Dudley briefly spoke about the challenges facing the community. He commented that the Chair position is very important especially in this community that is suffering so much from problems caused by the government. He stated the Neighborhood Board's purpose is to be the group that meets with the public, hears their concerns and passes them along to the proper officials. There are times when strong positions are taken, but he believes that is important. He also remarked that it would be difficult for someone to assume the Chair position without having experience on the Board.

**As there were no further discussion, Chair Pro Tem Souza took a ROLL CALL VOTE. There were FOUR (4) VOTES for Dudley (Capelouto, Dudley, Souza, Wond); and THREE (3) VOTES for Stensrud (Legal, Stensrud, Gonzalez). The requisite number of votes was not reached for either candidate.**

**Election of Vice Chair (Five (5) votes required for election):** Chair Pro Tem Souza asked for nominations for Vice Chair. As there were no nominations, this item was deferred to the next meeting to no objection.

Hearing no objections, the elections of Secretary and Treasurer were deferred until the next meeting.

**Chair Pro Tem Souza returned the meeting to order.**

FILLING OF BOARD VACANIES (Five (5) votes required to fill the vacancy)

Chair Pro Tem Souza opened the nominations. Capelouto nominated Thad Spreg. Stensrud nominated Kathy Davenport. Dudley nominated Chris Pierce. Discussion followed:

- Kathy Davenport: Davenport thanked the Board for the nomination and gave a brief background about her more than 20 years spent in the community and the service she has provided over the years. She is also a local business owner in the community who remarked on her aims to improve the neighborhood.
- Thad Spreg: Spreg thanked the Board for the nomination and highlighted the past four (4) years he had spent as a member of the Board. He commented that he has lived in the area since 2002 and asked for the support of the Board.
- Chris Pierce: The nominee was not present.

Questions, comments and concerns followed:

- Attendance: Capelouto asked how many meetings Spreg has missed, and he responded that in the five (5) years as a member he has missed one (1). Capelouto asked the same question to Davenport, and she responded that she was not a member of the Board so her attendance was not mandatory, but she did attend many meetings at this Board as well as surrounding neighborhoods. Those that she was not able to be present for she watched on the Olelo Broadcast. Capelouto commented on Davenport's position as Councilmember Kymberly Pine's representative and asked how many meetings have her and Councilmember Pine missed. Davenport declined to answer as the question inferred the Councilmember, and Davenport clarified that it was she who is looking to fill the vacancy, not Councilmember Pine. She also stated that she has taken a new position in the community, and will no longer be a representative for Councilmember Pine. In closing she stated she will let her record of service in the community and the relationships she has built stand on their own merit.
- Comment: Wond commented that she does not want her vote to reflect how she feels towards any of the nominees as she respects all the candidates. Davenport thanked her for her comments and reciprocated her sentiment.

**Hearing no objections, the discussion was closed. Chair Pro Tem Souza took a ROLL CALL VOTE to fill the Board vacancy. Spreg: (Capelouto, Souza, Wond); Davenport: (Gonzalez, Legal, Stensrud); Pierce: (Dudley). The requisite number of votes was not reached for either nominee. Hearing no objections, this item was deferred to the next meeting.**

**Wond departed the meeting at 7:20 p.m.; Six (6) members present.**

CITY MONTHLY REPORTS

Honolulu Fire Department (HFD): No representative was present; no report was provided.

Honoulu Police Department (HPD): Lieutenant Trent Umano reported the following: July 2017 Statistics: There were 47 motor vehicle thefts, 37 burglaries, 162 thefts, 52 unauthorized entry into motor vehicles (UEMV), and 8,014 total calls for service.

Board of Water Supply (BWS): Rian Adachi reported the following:

- Main Break Report for July 2017: There were no main breaks to report.
- Summer Water Conservation: With the hot summer months upon us, home water consumption typically rises. That is why BWS is reminding all residents to be vigilant and avoid wasting water. There are a few simple things you can do to save water:
  - Check for property leaks
  - Avoid watering lawns between 9:00 a.m. and 5:00 p.m.
  - Turn off the tap while brushing teeth or shaving
  - For more information, visit [www.boardofwatersupply.com](http://www.boardofwatersupply.com).
- EWA Watershed Management Plan: The Public Review Draft is now available for comment. The document can be found on the BWS website. A community meeting on the Draft Plan will be held on Tuesday, September 12, 2017 at Kapolei Hale Conference Room A at 6:30 p.m. We request all comments be submitted by Saturday, September 30, 2017.

Questions, comments and concerns followed: Cleanup Site: Capelouto asked about a clean-up site on Komohana Street that addressed concerns with contaminated water in the community. In the past there was a wood treatment plant that dropped a lot of chemicals into the ground and Capelouto wanted to know who is responsible for monitoring the ground water and the levels of contaminants. He asked if Adachi could refer him to the appropriate parties. Adachi responded that there are no water sources in that area, so BWS would not be doing the monitoring, but as far as who should be contacted, he recommended the Environmental Protection Agency (EPA) or the Environmental Health Division of the State Department of Health (DOH). Capelouto asked about the process for sampling the water as well as the desalination plant to be emplaced, and Adachi answered that they are in preliminary stages of testing and as the plans move forward there will be more thorough water quality testing.

## MONTHLY REPORTS

Mayor Kirk Caldwell's Representative: Department of Planning and Permitting (DPP) Deputy Director Timothy Hiu reported the following:

- Newsletter: Deputy Director Hiu highlighted the Mayor's newsletter including the new agreement the City signed with the U.S. Navy concerning the Pearl Harbor Bike Path, housing updates about the 1,113 veterans who have been permanently housed since 2015, the improvements to 107 parks around Oahu, repaving of roads, and the Bus route that will be modified in late August 2017 to connect to main points in Kapolei as well as changes to the Bus fare.
- Palailai Street and Makakilo Drive: The previous meeting had a concern about a missing "stop" sign and "no right turn" sign at the intersection of Palailai Street and Makakilo Drive. Deputy Director Hiu answered that the Department of Facility Maintenance (DFM) responded that Palailai Street and Makakilo Drive is a signalized intersection that does not have stop signs. The intersection also does not have "no right turn" signs. Investigation of the intersection indicated that the Mauka Island is missing U-Turn traffic signage. Replacement of the missing signage is being tentatively scheduled for Thursday, August 31, 2017.
- Palailai Street and Makakilo Drive U-turn: There were safety concerns regarding the new permissive U-turn allowed at this intersection addressed at the previous meeting. Deputy Director Hiu answered that DFM responded that the Department of Transportation Services (DTS) has issued a work order to install new U-Turn signage. DFM is tentatively scheduling installation of the revised signage for Thursday, August 31, 2017. DTS responded that as previously mentioned DTS' assessment found that U-turns in the mauka bound direction of Makakilo Drive at Palailai Street and Kulihi Street was geometrically feasible to allow motorists (except large trucks and buses) coming from Kapolei town to utilize the H1 Makakilo on-ramp. However, U-turns in the Makai bound direction of Makakilo Drive at Palailai Street and Kulihi Street remain prohibited. Motorists on Palailai Street attempting to turn right (with a red signal) onto Makakilo Drive shall yield the right-of-way to other traffic proceeding as directed by the signal at the said intersection in accordance with Section 291C-32(3)(B) of the Hawaii Revised Statutes. In addition, DTS' review of the area's traffic collision history revealed no trends related to intersection safety.
- Kapolei Parkway and Puainako Street: There were three (3) concerns about inadequate crossing at Kapolei Parkway and Puainako Street were raised last meeting about the crossing area lacking visibility, markings, and that it is highly used by students and families who must cross a six (6) lane parkway. DTS responded that Kapolei Parkway and Puainako Street is under the jurisdiction of the State of Hawaii Department of Business, Economic Development & Tourism and the Hawaii Housing Finance and Development Corporation.
- Wakea Street: From last meeting it was asked when Wakea Street will connect through Kapolei Parkway to the residences at Awakea at Mehana. Deputy Director Hiu responded that According to the Department of Planning and Permitting (DPP), a schedule for the connection has not been established.
- Makakilo Drive: At the last meeting there was a request for a status update on the Makakilo Drive extension design. DTS responded that RM Towill's current contract is to design 50% of the Makakilo Drive Extension Project. RM Towill is currently preparing a new Environmental Assessment (EA) for the fill and built up road design, which is replacing the previous bridge design. The new design will reduce the total construction cost estimate from 95 Million to 70 Million dollars. DTS is currently in the process of amending the contract to add \$1.4M design funds. Additional design funds will be requested in the 2019 budget. Estimated completion of the design phase is 2020.

Questions, comments and concerns followed:

1. Makakilo Drive and Palailai Street Intersection: Capelouto asked if there should be signage to yield to U-turn traffic.

2. Leeward Parks: Stensrud commented on heavy overgrowth in Leeward parks and the sporadic maintenance of the parks. Deputy Director Hiu responded that he will take the concerns back to the Department of Parks and Recreation (DPR).
3. Kapolei Regional Park: Wond commented on her work with the Kapolei Regional Park and the success they have had with maintaining the park, and has spoken with other parks in the area that are in need of maintenance as well. For those looking to get involved, she recommended reaching out to her via email for more information at [kapoleinani@gmail.com](mailto:kapoleinani@gmail.com).
4. Crosswalks: Chair Pro Tem Souza asked if the crosswalks on Kapolei Parkway are State property, and voiced concerns over their planned removal. Chair Pro Tem Souza said she will provide Deputy Director Hiu with an email from DTS.
5. Transit Oriented Development (TOD): A resident voiced concerns about the design plans for TOD on Makakilo Drive, and Chair Pro Tem Souza responded that these are concerns the Board has had in the past.

Governor David Ige's Representative: No representative was present; a report was not provided.

Honolulu Authority for Rapid Transit (HART): Pat Lee reported the following:

- Update: The 20-mile rail system includes 21 stations. By 2030, nearly 70% of Oahu's population and 80% of the island's jobs will be located along the rail corridor. The nine (9) stations along the first 10 miles of the route are currently under construction. These are from East Kapolei to Aloha Stadium, through Waipahu, Pearl City and Aiea. The next four (4) from Pearl Harbor to Middle Street, including the Airport Station are in final design.
- Stations: The 4.8 mile City Center guideway and stations section of the project, which is subject to additional funding at a Special Session of the Legislature end of this month, is from Middle Street to Ala Moana Center and includes eight (8) stations that together are estimated to generate over 51,000 daily boarding's or nearly 43% of the total system ridership of 120,000 boarding's. These stations are:
  - Kalihi Station at Dillingham and Mokauea,
  - Kapalama Station at Dillingham and Kokea at the Honolulu Community College,
  - Iwilei Station at Dillingham and Kaaahi,
  - Chinatown Station at Nimitz and Kekaulike
  - Downtown Station at Nimitz and Bishop,
  - Civic Center Station at Halekauwila and South
  - Kakaako Station at Halekauwila and Ward
  - Ala Moana Station at Kona Street near Kona Iki, mauka of the shopping center.
- City Center: Three fourths of the rail route is already underway. The City Center segment is a critical portion of the project because it would serve Honolulu's urban core where many jobs are located, and where much of the TOD is planned which would revitalize communities with new housing and retail development in close proximity to the rail stations. Pending the outcome of the Legislature's special session, construction could start in fall of 2018 and finish by early 2024.
- Bus and Shuttle Systems: From Ala Moana Center, we anticipate integrated bus and shuttle systems to destinations further east such as Waikiki and the University of Hawaii at Manoa.
- Service: HART plans to open the first 10 miles (from Aloha Stadium to East Kapolei) for revenue passenger service in late 2020 or early 2021, and pending additional funding by the State Legislature, the full 20-mile system could open in 2025 to Ala Moana Center.
- More Information: For general project information, traffic updates, meeting notices and more information, please visit the website [www.honolulutransit.org](http://www.honolulutransit.org), call the project hotline at 566-2299 or email a question at [info@honolulutransit.org](mailto:info@honolulutransit.org).

Questions, comments and concerns followed:

1. Eminent Domain: Capelouto asked how many properties have been subject to eminent domain and how many still have not been negotiated. Lee responded that he will need to check, but he believes there were less than three (3) cases, and will return with more thorough answers.
2. TOD and Transient Accommodations Tax (TAT): Dudley commented that he does not believe tourists will be deterred from visiting because of higher TAT taxes.
3. Economic Efficiency Meetings: Chair Pro Tem Souza asked where the economic efficiency meetings are held, and Lee responded that he believes she is referring to contractor meetings that are conducted with areas that are being immediately affected by current construction. Meetings are held by the contractors, and Lee said he will ask them if they can conduct a meeting in the Kapolei area.
4. Forensic Audit: Chair Pro Tem Souza asked for an update on the status of the forensic audit of rail. Lee responded that the City and County is deliberating on a resolution to have an efficiency audit of the

construction in regards to the capital. HART passed a resolution for the City and County to conduct an efficiency audit, and Chair Pro Tem Souza responded that she would prefer a forensic audit.

Senator Mike Gabbard – Rock Riggs reported the following:

- Special Session: Riggs reported that the Senate will caucus the following day to discuss the funding mechanism for the rail, and also commented that Senator Gabbard also recommends a forensic audit of rail.
- Pueo Study: Riggs gave an update on the pueo study. Senator Gabbard met with the Department of Land and Natural Resources (DLNR) and UH West Oahu about the island wide survey being conducted, slated to be completed by April 2018. UH would also like to propose an additional two (2) year study, and Senator Gabbard will be looking for funding during the next session to extend the study.
- Pueo Meeting: At the previous meeting Senator Gabbard was asked to write to Suzanne Case about reaching out to the head researcher about giving input on the pueo study per the request of Mike Lee. Riggs reported that Case responded and the message was forwarded to Lee about getting members of the public trained to collect data. Senator Gabbard is willing to contact UH West Oahu to help to reserve a room.
- Listen Story: Senator Gabbard's next Listen Story meeting will be Saturday, August 19, 2017 at 9:00 a.m. at the Kapolei High School Teacher's Lounge.

Questions, comments and concerns followed:

1. Forensic Audit: Legal asked if a forensic audit will be a caveat to passing any type of funding bill. Riggs responded that it will likely be one of the topics discussed during the session.
2. Pueo Study: Wond asked when the DLNR said the study would end, and Riggs answered that April 2018 is the timeline he was told.
3. Hawaiian Railway: Steve Vendt of Hawaiian Railways reiterated the issue his company is having with the DOT prohibiting them from working on the tracks. He spoke with Senator Gabbard about what DOT may have overlooked many of the reasons for the Hawaii Railway to continue operating.
4. Forensic Audit: A resident asked if Senator Gabbard will introduce a resolution to require a forensic audit. Riggs responded that to his understanding, individual legislators probably will not be given the opportunity to propose their own legislation during the special session, and that would have to be an amendment to the original bill.
5. Hawaiian Railway: Dudley asked about Hawaiian Railway and the DOT. Riggs responded that Senator Gabbard requested an update from DOT, and relayed what was told to him. Dudley commented that the head of DOT was supposed to be at this meeting, but will have to try again for next month. Dudley stressed that this is a big concern to himself and the Board.
6. Leadership Change: Capelouto commented that the last time the House of Representatives debated the rail issue, there was a leadership change. He was concerned this will happen again and hopes that a forensic audit is incorporated into the bill. Riggs responded that he will pass along those sentiments.

Representative Sharon Har: No representative was present; a report was provided.

Senator Maile Shimabukuro: No representative was present; no report was provided.

Representative Andria Tupola: A representative reported the following:

- The "Wake up, Westside!" Emergency Preparedness Fair: An annual event hosted by Representative Andria Tupola. This family friendly event is FREE and open to the public. Participating organizations such as The American Red Cross of Hawaii, SMART 911, and Be Ready Hawaii, will educate the general public on how to be prepared for an emergency. Additional food vendors will be on hand to complement this educational event designed for the entire 'ohana.
- Child Sexual Exploitation Conference: Representative Tupola will be holding a conference at the Capitol. For more information, get in touch with her office.

Hawaii Community Development Authority (HCDA): No representative was present; no report was provided.

State Representative Ty Cullen: No representative was present; no report was provided.

Councilmember Kymberly Pine: Kathy Davenport reported the following:

- Bill 71: Davenport gave an update on Bill 71, which encourages local businesses and restaurants to help protect our lands and ocean by ditching the use of hazardous oil based polystyrene (Styrofoam), and switching to more earth friendly biodegradable and compostable food containers.

- Blue Zones Project: Davenport gave an update on the Blue Zones project, and also informed the Board that she will be taking over as the Director for the Project in the area. She highlighted two (2) upcoming events on Thursday, August 31, 2017 from 7:00 p.m. to 9:00 p.m. at Pacific Island Academy at 909 Haumea Street, Kapolei, 96707, and the other on Thursday, September 7, 2017 from 7:00 p.m. to 9:00 p.m. at the Ewa Public Beach Library at 91-950 North Road, Ewa Beach, 96706. The purpose of these events is to invite the community to participate in a small group discussion to steer the project in a positive, productive, and successful path. Their focus will be emphasized on health and wellbeing in schools, businesses and other organizations in Kapolei-Ewa and will encourage thoughts, concerns and hopes for the future of the community.
- Neighborhood Security Watches (NSW): Davenport reported that many residents were calling the office because of suspicious activity and crime in the area. Many communities throughout the Leeward coast are forming NSW groups and citizen patrols in an effort to deter crime in their neighborhoods. Councilmember Pine contacted the HPD District 8 Community Policing Team regarding setting up a NSW in upper Makakilo. The next meeting will take place on Tuesday, September 5, 2017 beginning at 7:00 p.m. at the intersection of Makamai Loop and Makakilo Drive. For more information, call HPD's Community Affairs Division at 723-3475.

Questions, comments and concerns followed:

1. Bill 71: Wond asked if the bill will include schools, and Davenport responded that she will have to follow up on her inquiry.
2. Makakilo Drive: Dudley asked if Councilmember Pine would be able to attend a meeting with Makakilo Drive residents about the reinstallation of crosswalks, and Davenport responded that she will have to check with Councilmember Pine.
3. Blue Zones Project: Capelouto asked how the project is funded, and Davenport responded that it is through HMSA.

Hawaiian Railway and Department of Transportation (DOT) Update: A representative from DOT was unable to attend. Steve Vendt of Hawaiian Railways updated the Board on the letter sent to the State Department of Transportation (DOT), and reiterated the concerns he has been raising at previous meetings. The letter that was forwarded to Dr. Alan Downer of the State Historic Preservation Division (SHPD), even with both Senator Gabbard, Senator Espero, and Rep Tupola, urging DOT and SHPD, they are unable to make any progress. DOT said they are awaiting approval for SHPD and asked for a material list needed by Hawaiian Railway to continue work. Vendt said he has sent such letter multiple times. The issue surrounds Hawaiian Railway's being forbidden to work on the track in February 2017, and actions taken to get the company in operation have been stalled in the SHPD. Vendt reported that he received an email from the SHPD and is still waiting for them to sign off. He encourages the community to call the Governor, DOT, and SHPD to pressure them to act. Vendt gave various other technical reasons as to why the issue is stalling. The email from DOT and SHPD was not provided.

Questions, comments and concerns followed:

1. Next Board Meeting: Chair Pro Tem Souza commented that a Board Member has spoken to Ford Fujigami about attending the next Board meeting, and Vendt responded that he will also be in attendance.
2. Second Crossing: Capelouto commented that a few months ago the Board received a report from the Governors representative saying they cannot support the second crossing by the shopping center because it poses a safety hazard, and Capelouto wanted clarification. Vendt answered that yes, the Governor said there will be no north to south extension. Capelouto then asked if the Hawaiian Railways cannot do the maintenance on the current track, will that pose a safety hazard as well, and if so, can Hawaiian Railways bring up the liability issue caused by not allowing track maintenance to continue. Vendt responded that he believes if he took that approach, he would expect to receive a cease and desist letter from DOT to stop all work on the track. Technical information about the track was given. Capelouto asked if they have addressed the issue through their legal counsel to pose the question that the State may be liable for injuries if Hawaiian Railways cannot maintain the track.
3. Letter: Dudley asked if Vendt would recommend the Board sending a letter to SHPD. Vendt responded that he received an email that SHPD is not a party to the agreement with DOT. The email was not provided. Dudley asked what the letter should say, and Vendt responded that it should ask SHPD to sign off on the letter from DOT.

**Dudley moved and Capelouto seconded, that the Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34 send a letter to the State Historic Preservation Division asking them to sign off on the letter sent from the Department of Transportation.**

Discussion followed: Past Issues: Legal commented that in the past, it has been very difficult to make any progress on this issue, and recommends taking the letter to the Governor's office to seek his signature as well.

**Legal moved and Capelouto seconded, to amend the motion to the Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34 send a letter to the State Historic Preservation Division and the Governor asking them to sign off on the letter sent from the Department of Transportation. The amendment was adopted by UNANIMOUS CONSENT by VOICE VOTE, 6-0-0; (Aye: Dudley, Souza, Stensrud, Gonzalez, Capelouto, Legal; NAY: None; ABSTAIN: None).**

**The amended motion that the Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34 send a letter to the State Historic Preservation Division and the Governor asking them to sign off on the letter sent from the Department of Transportation was adopted by UNANIMOUS CONSENT by VOICE VOTE, 6-0-0; (Aye: Dudley, Souza, Stensrud, Gonzalez, Capelouto, Legal; NAY: None; ABSTAIN: None).**

Pueo Update: Tom Berg and Mike Lee gave an update on the pueo study being conducted around the island. Tom Berg reported that the survey is being conducted in tandem with the University of Hawaii, and money has been allocated to hire an ornithologist. The question was asked as to what areas will be surveyed to the Department of Land and Natural Resources (DLNR) and if the island wide survey will include specific areas. The answer they received was that they had plans to come to UH West Oahu after getting permission from the land owner, the UH Board of Regents, to access the property. The permission has been given and the scientists conducting the study said they will do three (3) site visits based on vegetative mass and computer analysis as to where a pueo would most likely inhabit. The computer simulation is a vegetative map, and DLNR is not sharing these maps with the public, and it is unknown if Dr. Horton was asked to conduct studies on his property. Berg is here to ask the Board and the community to support the pueo. Berg mentioned the State's plans to distribute rat poison that is said to not affect the pueo, and claim there are no raptors. Berg commented that he and his associates have seen pueo's on State lands, and the State has previously said there were no pueo's inhabiting State lands. On Sunday, August 18, 2016 Senator Gabbard hosted a meeting and the topic concerning the Environmental Impact Statement (EIS) came up, and the person doing the inventorying said they need to go to a site multiple times to see the presence of the pueo. The inventorying at UH West Oahu was conducted in two (2) days, for only a couple of hours. Senate Bill 570 (SB570) was introduced mandating that these reports must be made public, show who is doing the research, and if those conducting the research are qualified. Senator Espero introduced the bill. Berg was upset with the EIS at UH West Oahu and its process, and believes a supplemental EIS should have been done at UH West Oahu in accordance with current law. DLNR told him that because he was not a certified ornithologist, his findings could not be considered, but later a certified ornithologist was sent to the site and observed the pueo, which should have triggered the supplemental EIS. Berg concluded by saying that UH West Oahu Campus is over 500 acres with 300 acres being used for commercial ventures, and that there is 900 acres nearby that is owned by UH where the pueo does not inhabit, and asked the Board to urge the University to preserve those 300 acres where the pueo has been observed, and move the development to the 900 acre lot. He invited people to submit a cease and desist letter along with him, and asked for DLNR to attend the Board meetings.

Questions, comments and concerns followed:

1. EIS: Capelouto asked who the companies were that got hired to do the EIS's, and where are they now, and who gets held accountable. Berg answered that SB570 is still alive due to the biennium session. Berg suggested that Senator Gabbard is blocking the bill, and asked the Board to make a motion to ask Senator Gabbard to ask for the bill to be heard. This bill would make EIS reports public.
2. EIS: Wond remarked that she heard Berg say he wants Senator Gabbard to hold the hearing that if a pueo is spotted, by law and EIS must be issued. Berg responded that according to the current law, because a certified ornithologist saw the pueo, DLNR must do the supplemental EIS, and also commented that a proposed State bill would make it so any person could report a spotting. People can provide comments on the Office of Environmental Control website. Wond asked if Berg has provided comments and submitted an application for an EIS, and he responded that there is nothing to submit. Berg also commented on other various technical aspects of EIS's.
3. DLNR: Legal commented that for him to make a decision on a motion, he believes a representative from DLNR should be in attendance to present their case, and suggested DLNR attend the Board meetings.
4. Mike Lee: Mike Lee gave an update on the pueo study, and informed the Board of his meeting with OHA. He asked the Board to send letters to each member of OHA to put the pueo on the OHA agenda. He spoke about the observation of the pueo in the area, and substantiated what Berg reported on earlier. He would like OHA to do a lawsuit for a supplemental EIS to take place. He will be having a meeting with the Division of Forestry and Wildlife (DOFAW) and will be asking them to not wait until March or September of



next year for the pueo count. Under the state endangered species act, they must act now and commented that he will take them out to the sites. Lee commented on the three (3) sites and how inefficient the process is. He said he will take people to specific locations at specific times to show them the pueo. Chair Pro Tem Souza asked for clarification on what meeting and when. Lee answered that it would be the OHA meeting around the third or fourth week of September 2017. Dudley confirmed Lee's clarification. Lee suggested three (3) options. A court action, recommending DOFAW go into the field with Berg and allow people to begin the process of protection. Dudley asked if the Board were to vote to send the letters to the trustees would Lee provide the wording, and Lee answered that yes he will forward them to Dudley and also commented to the Board that Dudley will be his "point person" on the pueo matters as it pertains to the Board. Chair Pro Tem Souza asked if the Board understands what Lee is asking.

5. Concision: Stensrud asked Lee and Berg if in the future they could articulate exactly what they want the Board to do. He asked if there request is to send a letter to OHA to put the pueo topic on their agenda, and Lee answered that the request is the Board is formally requesting that OHA put on their agenda the pueo in gulches surrounding Kapolei. The remedy they are seeking is to go to court and provide evidence that the pueo is present in those areas, and must be protected due to the endangered species act.

**Legal moved, and Capelouto seconded, that the Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34 send a letter to the members of the Office of Hawaiian Affairs to put the pueo in the Kapolei area on their agenda. The motion was adopted by MAJORITY DECISION by HAND VOTE, 4-2-0; (Aye: Dudley, Souza, Capelouto, Legal; NAY: Stensrud, Gonzalez; ABSTAIN: None).**

Discussion followed:

- DLNR: Dudley asked Lee if there would be a problem asking DLNR to attend the Neighborhood Board meetings. Lee answered yes, it is a good idea to get the people who are mandated by the law to do what they are supposed to do. Dudley asked Berg what the problem is with DLNR in getting a supplemental EIS because the certified ornithologist has seen the bird. Lee answered that he sent a letter to Suzanne Case at DLNR and got no response, but Kai Martele was able to get a response in less than a week because of his position. He commented that the position the Board has may elicit a quicker response if the request is sent from himself.

**Capelouto moved for the Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34 to ask DLNR to attend the meetings and provide a report as well as the companies who conducted the Environmental Impact Statements. Hearing no objections, the motion was adopted.**

**Dudley moved, and Capelouto seconded for the Makakilo/Kapolei/Honokai Hale Neighborhood Board No. 34 to request Senator Mike Gabbard to call a meeting at the University of Hawaii West Oahu Campus in the next two (2) months. The motion was adopted by UNANIMOUS CONSENT by VOICE VOTE, 6-0-0; (Aye: Dudley, Souza, Stensrud, Gonzalez, Capelouto, Legal; NAY: None; ABSTAIN: None).**

#### COMMUNITY/BOARD CONCERNS AND ANNOUNCEMENTS

- Disaster Preparedness: A resident commented on disaster preparedness and a handout was provided to some of the members, and she asked to exchange emails with the members at the end of the meeting. She commented that there is a money issue with updating our disaster preparedness. In 2017 Senator Gabbard was able to allocate money for an adjacent area, and has asked him to ask for moneys for the Makakilo area. Wond spoke of people she could get her in contact with, and asked what the Board can do. The resident answered that the only way the situation will improve will be with more money. Wond asked where the money came from, and the resident answered the State. Capelouto commented that he has concerns with the number of shelters and recommended speaking to civil defense.
- Makalani Elementary: Sam Izumi, the principal of Mauka Lani Elementary followed up on a concern from the previous meeting about a fallout shelter at his school. He did research and found that the school is a shelter, however not every school that is listed will be open during emergencies.
- Drop-Off: Thad Sprog commented that the public school and the library had an agreement in the past that allowed parents who were dropping of their children to cut across the grass when leaving. He wanted to get that agreement reestablished.
- Par Hawaii: Lance Tanaka of Par informed the Board of the upcoming AUW Halloween 5K Family Fun Run on Sunday, October 29, 2017 from 7:00 a.m. to 8:30 a.m. at the Campbell Industrial Park. He provided a course map and directed any further questions to his email ([lance.tanaka@parpacific.com](mailto:lance.tanaka@parpacific.com)) or phone (547-3920).
- Hawaii Skatepark Association: Eric Davis from the Hawaii Skatepark Association informed the Board of an upcoming project in the area that is moving forward.



- Community Concerns: A resident asked that the Board to address concerns about the community. She commented that she has heard the same presentations for the past few meetings, and would like more of the focus to be on community issues. She commented that there are fights at the schools nearly every day and thinks that the community needs to be aware of what is going on. She suggested bringing in the school principals and HPD to speak to these issues and tell the community what to do. She reports other illegal activity such as illegal dumping and abandoning vehicles. She asked that the Board have agenda items that pertain to the community and possible solutions.

TREASURERS REPORT: No report was provided.

#### ANNOUNCEMENTS

Next Meeting – The next regularly scheduled board meeting will be held on Wednesday, October 25, 2017 at Kapolei Hale Conference Room A at 7:00 p.m.

The meeting adjourned at 9:37 p.m.

Submitted by: Aran Wilson, Neighborhood Assistant  
Reviewed by: Dylan Whitsell, Public Relations Assistant  
Finalized by: Evelyn Souza, Chair