

# Testimony Submitted to the State Land Use Commission Regarding the Draft Environmental Impact Statement (DEIS) for Hawaii Memorial Park

As the former Chair of the Honolulu Planning Commission, I have had the opportunity to thoroughly review the details of this project along with many hours of public testimony. In addition, I have reviewed the submitted DEIS, and find that it adequately documents and addresses all major issues associated with this project and supported by several technical studies conducted by experts in their field who have analyzed appropriate subject matter and provided their positive findings. Also, several mitigative measures were identified to address project impacts.

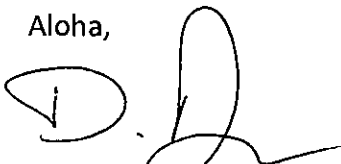
This is an important project that is needed by the community. Hawaii Memorial Park (HMP) is a well-managed and well-landscaped cemetery that is in a desirable location for the community as it provides a final resting place for loved ones. HMP has documented the need for additional burial plots and site expansion that would serve the long-term needs of the region. Families have also expressed the desire to have burial choices for their family members within the same cemetery and those with loved ones buried at the Hawai'i State Veteran's Cemetery would have a desire to have other family members buried nearby at HMP.

HMP has worked with various native Hawaiian cultural practice and stewardship groups in the community. This project provides a unique opportunity to create a cultural preserve for native Hawaiians that support their cultural practices. Opportunities such as to allow burials within the cultural preserve utilizing native Hawaiian protocols and creating space set aside for a cultural preserve to protect existing archaeological sites and ensure their restoration, including the important Kawa'ewa'e Heiau which is located on this site.

HMP has also addressed various environmental concerns such as minimizing the harm to the endangered damselfly and coordinating with the Federal Wildlife Service for protection of this species. They are also willing to create opportunities for further research and education to learn more about this species. The project will also improve drainage and water quality in the area by reducing the volume and rate of storm water runoff and potential flooding impacts on surrounding residences and improve water quality within both Kawa Stream and Kāne'ōhe Bay.

Because of these reasons, this project was approved to be included in the updated Ko'olaupoko Sustainable Communities Plan. I urge the State LUC to approve the DEIS and this project. I thank you for the opportunity to submit my testimony.

Aloha,



Dean I Hazama





March 29, 2019

Mr. Dean Hazama  
djk hazama@hawaii.rr.com

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Mr. Hazama:

Thank you for your October 23, 2018 email providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses under numbered subheadings corresponding to your comments (italicized).

1. *As the former Chair of the Honolulu Planning Commission, I have had the opportunity to thoroughly review the details of this project along with many hours of public testimony. In addition, I have reviewed the submitted DEIS, and find that it adequately documents and addresses all major issues associated with this project and supported by several technical studies conducted by experts in their field who have analyzed appropriate subject matter and provided their positive findings. Also, several mitigative measures were identified to address project impacts.*

Response: We acknowledge your assessment that the DEIS adequately documents and addresses all major issues associated with the proposed project. We concur with your assessment that the technical studies supporting the DEIS were conducted by experts in their field that analyzed appropriate subject matter. We concur that several mitigative measures were identified in the DEIS to address adverse impacts resulting from project implementation.

2. *This is an important project that is needed by the community. Hawaii Memorial Park (HMP) is a well-managed and well-landscaped cemetery that is in a desirable location for the community as provides a final resting place for loved ones. HMP has documented the need for additional burial plots and site expansion that would serve the long-term needs of the region. Families have also expressed the desire to have burial choices for their family members within the same cemetery and those with loved ones buried at the Hawai'i State Veteran's Cemetery would have a desire to have other family members buried nearby at HMP.*

Response: We acknowledge your assessment that this is an important project for the community and agree that Hawaiian Memorial Park (HMP) has established itself as a well-managed, well-landscaped, and desirable cemetery. The documented need for additional burial plots was discussed in the DEIS and we concur that site expansion would provide this needed burial space. Additional burial space would expand disposition and memorialization options for Hawai'i families desiring to be buried in the same cemetery. Burial options will become increasingly limited if additional burial space is not provided.

3. *HMP has worked with various native Hawaiian cultural practice and stewardship groups in the community. This project provides a unique opportunity to create a cultural preserve for native Hawaiians that support their cultural practices. Opportunities such as to allow burials within the cultural preserve utilizing native Hawaiian protocols and creating space set aside for a cultural preserve to protect existing archaeological sites and ensure their restoration, including the important Kawa'ewa'e Heiau which is located on this site.*

Response: We concur that the Cultural Preserve will provide additional opportunities for native Hawaiian community members to engage in cultural practices such as traditional burials using native Hawaiian protocol. The Preserve will also better facilitate the restoration of Kawa'ewa'e Heiau and the associated cultural landscape.

4. *HMP has also addressed various environmental concerns such as minimizing the harm to the endangered damselfly and coordinating with the Federal Wildlife Service for protection of this species. They are also willing to create opportunities for further research and education to learn more about this species. The project will also improve drainage and water quality in the area by reducing the volume and rate of storm water runoff and potential flooding impacts on surrounding residences and improve water quality within both Kawa Stream and Kane'ohe Bay.*

Response: We concur that HMP has addressed environmental concerns associated with the project such as potential impacts to endangered species, with drainage and water quality conditions in the area. In particular, the Petitioner will evaluate the feasibility and practicability of initiating participation in a habitat restoration and conservation program for the endangered damselfly habitat with the U.S. Fish and Wildlife Service's (FWS) Partners for Fish and Wildlife program. The feasibility of this partnership first needs to be evaluated in relation to the proposed Cultural Preserve, to be managed by the Ko'olaupoko Hawaiian Civic Club, because the area surrounding and including the damselfly habitat is designated as a historic site (Site -8230). Consequently, the management and conservation of this seep habitat area by the civic club may be more appropriate and first needs to be evaluated in the context of the entire project. If deemed practicable, coordination with the FWS to establish this program would occur.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,



Scott Ezer, Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.

## Ronald Sato

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**From:** b ho <chungho5@yahoo.com>  
**Sent:** Sunday, October 21, 2018 10:24 PM  
**To:** dbedt.luc.web@hawaii.gov; Ronald Sato  
**Subject:** In support of Hawaiian Memorial Park (HMP) expansion

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hello

Our family supports the expansion of the HMP for the future generations.

Our parents purchased plots over 60 years ago for themselves and children for a total of 5 plots and all side by side .

To keep the family buried together.

Our family friends and siblings purchased at least 10 plots coordinated together and rests side by side and also 40+ years ago.

These families shared life together and prepared their final resting place to still be together

Please allow our families to continue to buried near each other for generations and at the same cemetery.

The cemetery is well managed and well landscaped and peaceful.

There is Inner peace when visiting the deceased.

Thank you  
Ed Ho and family

Sent from my iPhone

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March 29, 2019

Mr. Ed Ho  
Chungho5@yahoo.com

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Mr. Ho:

Thank you for your October 21, 2018 email providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses under numbered subheadings corresponding to your comments (italicized).

1. *Our parents purchased plots over 60 years ago for themselves and children for a total of 5 plots and all side by side. To keep the family buried together. Our family friends and siblings purchased at least 10 plots coordinated together and rests side by side and also 40+ years ago. These families shared life together and prepared their final resting place to still be together. Please allow our families to continue to buried near each other for generations and at the same cemetery. The cemetery is well managed and well landscaped and peaceful. There is Inner peace when visiting the deceased.*

Response: We appreciate your support of the project. We agree that existing areas of Hawaiian Memorial Park (HMP) are well-managed, well-landscaped, and peaceful. The proposed project will provide expanded opportunities for Hawaiʻi families to be interred in the same location where relatives are already at rest. The proposed project will provide additional burial space, which is becoming increasingly scarce as the number of burial spaces on Oʻahu decreases.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,

A handwritten signature in black ink that reads "Scott Ezer". The signature is fluid and cursive.

Scott Ezer, Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.

## Ronald Sato

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**From:** William Hicks <hicksw001@hawaii.rr.com>  
**Sent:** Monday, October 22, 2018 11:57 PM  
**To:** scott.a.derrickson@hawaii.gov; Ronald Sato  
**Cc:** 'Donna Wong'  
**Subject:** Kailua Neighborhood Board Concerns with Proposed Expansion of the Hawaiian Memorial Park  
**Attachments:** KNB letter wrt Hawaiian Memorial Park DEIS page 1 of 2.pdf; KNB letter wrt Hawaiian Memorial Park DEIS page 2 of 2.pdf  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Aloha Mr. Derrickson and Mr. Sato,

The Kailua Neighborhood Board (KNB) first considered the subject Draft Environmental Impact Statement in July, 2008 and established a position which remains in effect. The KNB concerns regarding the expansion of Hawaiian Memorial Cemetery are enumerated in the attached letter. We appreciate your consideration of these KNB concerns.

Aloha,  
Bill Hicks, Chairman KNB

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KAILUA NEIGHBORHOOD BOARD NO. 31

WILLIAM M. HICKS, CHAIRMAN • 923 AKUMU STREET • KAILUA, HAWAII, 96734-4004  
PHONE (808) 230-2293 • E-MAIL [hicksw001@hawaii.rr.com](mailto:hicksw001@hawaii.rr.com)

October 22, 2018

Mr. Scott Derrickson  
Land Use Commission  
Department of Business, Economic Development & Tourism  
235 South Beretania Street, #406  
Honolulu, Hawai'i 96813  
[scott.a.derrickson@hawaii.gov](mailto:scott.a.derrickson@hawaii.gov)

Mr. Ronald Sato, AICP  
Senior Associate  
HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, Hawai'i 96813  
[rsato@hhf.com](mailto:rsato@hhf.com)

Subject: Hawaiian Memorial Park Draft Environmental Impact Statement (DEIS)

Aloha Mr. Derrickson and Mr. Sato,

The Kailua Neighborhood Board (KNB) first considered the subject DEIS in July, 2008 and established a position which remains in effect. The KNB has the following concerns regarding the expansion of Hawaiian Memorial Cemetery:

1. Most of the project area has slopes of more than 20%, which will require grading of slopes up to 50% slope.
2. The project site is a natural forest area that acts as a watershed and recharge area.
3. Kawa Stream is identified as an "impaired waterway" under the Federal Clean Water Act with a TMDL Implementation Plan. Currently Hawaiian Memorial Park (HMP) is a major contributor to pollution to the stream and further expansion will increase runoff into Kawa Stream and eventually Kaneohe Bay.
4. Increased impervious surfaces will reduce rainwater infiltration into the underlying aquifer.
5. Homes adjacent to HMP currently experience flooding from vegetated hillside because of inadequate drainage. Excavation of 33-forested acres to accommodate 30,000 burial plots will reduce drainage and exacerbate flooding. There was a mudslide in the 1980's that ran through people's homes and killed one person.
6. Development will adversely impact the cultural and historical complex. The following sites have been identified in and near the petition area so far:



Sites in the petition area:

- #4680 historic
- #4683 historic
- #4684 pre-contact
- #4686 historic
- #6930 pre-contact
- #6931 pre-contact
- #6932 historic
- #6933 historic

Sites near the petition area:

- #345 pre-contact – Kawa`ewa`e Heiau, listed on the National Register of Historic Places
- #4681 pre-contact
- #6929 pre-contact
- #6931 pre-contact

We appreciate your consideration of these KNB concerns.

Sincerely,

A handwritten signature in black ink that reads "William M. Hicks". The signature is written in a cursive style with a large, prominent "W" and "H".

William M. Hicks, Chairman





March 29, 2019

Mr. Bill Hicks, Chairman  
Kailua Neighborhood Board  
923 Akumu Street  
Kailua, HI 96734

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Mr. Hicks:

Thank you for the October 22, 2018 email attaching a letter providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses under numbered subheadings corresponding to your comments.

1. **Email:** *The Kailua Neighborhood Board (KNB) first considered the subject Draft Environmental Impact Statement in July, 2008 and established a position which remains in effect. The KNB concerns regarding the expansion of Hawaiian Memorial Cemetery are enumerated in the attached letter. We appreciate your consideration of these KNB concerns.*

**Letter:** *The Kailua Neighborhood Board (KNB) first considered the subject DEIS in July, 2008 and established a position which remains in effect. The KNB has the following concerns regarding the expansion of Hawaiian Memorial Cemetery:*

Response: We believe the KNB's position on this project expressing concerns, which you state remains in effect based upon the 2008 DEIS, did not thoroughly consider the information included in the current DEIS for this project. As discussed in Section 1.2 of this DEIS, the Petitioner has had several meetings over the years with the Kāneʻohe Neighborhood Board, community members, cultural organizations and practitioners, and government agencies to address concerns associated with previous plans. Present project plans have since been revised as reflected in Section 2.2 of the DEIS. The proposed expansion of the HMP cemetery has also been incorporated in the City's updated *Koʻolau Poko Sustainable Communities Plan* by adoption of Ordinance 17-42. Therefore, the concerns expressed have been addressed and mitigated, and the project includes several changes providing substantial benefits to the community, such as establishing the Cultural Preserve and conservation easement. The following responses to the concerns raised demonstrate this.

2. *Most of the project area has slopes of more than 20%, which will require grading of slopes up to 50% slope.*

Response: Section 2.2.2 discusses preliminary grading plans that identify some areas having slopes up to 50% that would be affected. That section discusses site preparation, fill and backfill material, excavation and cut slopes, and ground settlement as part of preliminary grading plans. Impacts to topography and soils are addressed in Section 3.1, and include mitigative measures, such as best

management practices (BMPs), addressing both short- and long-term effects. Grading plans would alter current drainage patterns and routes, but actually improve conditions by reducing steeper grades, runoff velocity and quantities, increasing stormwater infiltration, and reducing erosion due to drainage improvements as discussed in Section 5.3. The proposed project reflects reasonable and practical design plans and measures to account for the slopes associated with this privately-owned hillside.

3. *The project site is a natural forest area that acts as a watershed and recharge area.*

Response: As discussed in Section 3.3, the existing Petition Area consists of an alien forest dominated by introduced plant species. Therefore, it is not a “natural” forest originally created by nature. It is a previously disturbed area resulting from prior human-induced activities (e.g. agriculture and ranching). This area is part of the watershed and does contribute to groundwater recharge from surface runoff as discussed in Sections 3.6 and 3.7. However, the proposed project would not adversely impact this watershed or its recharge capacity. The project would improve existing drainage conditions (discussed in Section 5.3), increasing infiltration and groundwater recharge that benefit the watershed. The DEIS analysis indicates that the project would decrease the velocity and volume of runoff from the Petition Area due to the reduction in site slopes from grading that reduces the velocity stormwater travels downslope. The grassed cemetery expansion would further decrease runoff velocity, increase stormwater infiltration, and reduce erosion. Detention basins proposed as a low impact development strategy would increase runoff retention and infiltration while providing additional time for pollutants to settle instead of being discharged from the site. The proposed project would change topographic conditions and current drainage patterns within this watershed, but the watershed boundary does not change, nor its function.

4. *Kawa Stream is identified as an "impaired waterway" under the Federal Clean Water Act with a TMDL Implementation Plan. Currently Hawaiian Memorial Park (HMP) is a major contributor to pollution to the stream and further expansion will increase runoff into Kawa Stream and eventually Kaneohe Bay.*

Response: Section 3.8 of the DEIS addresses water quality and current conditions contributing to pollutant loads into Kāwā Stream that eventually discharges into Kāneʻohe Bay. Kāneʻohe Bay’s current water quality is due to additional factors besides just Kāwā Stream because the bay receives discharges from the larger Kāneʻohe district and other urban developments. As discussed in Section 3.8.2, the proposed project would have a beneficial effect on water quality and the stream because grading and drainage improvements would decrease existing steep grades within the site, reduce the volume and velocity of runoff, and improve opportunities for stormwater to infiltrate instead of discharging. Turf grass would slow the flow of site runoff, improving ground infiltration and reducing runoff volumes. Retention/detention basins capturing and treating runoff generated from the cemetery would be designed for a 100-year frequency, one-hour duration storm event significantly reducing sediment and nutrient loads by treating the first flush of runoff from high-intensity rainfall events. These improvements would have a positive beneficial effect on the stream and bay.

5. *Increased impervious surfaces will reduce rainwater infiltration into the underlying aquifer.*

Response: As discussed in Section 3.6, the entire Petition Area overlies caldera-filling volcanics that are virtually impermeable. As such, grading improvements and cemetery use of the area do not have the potential to impact ongoing or possible future uses of groundwater drawn from the permeable Koʻolau volcanics of the Koʻolaupoko Aquifer System. Therefore, grading improvements

would not have a significant impact on the Petition Area's underlying aquifer. It should be noted that this aquifer is not exploited for domestic purposes, and the Petition Area is not located within the Board of Water Supply's "No-Pass" Zone. The project would increase infiltration within the Petition Area with detention basins and landscaped grass associated with the cemetery expansion that would have a beneficial effect on the underlying soils and watershed.

6. *Homes adjacent to HMP currently experience flooding from vegetated hillside because of inadequate drainage. Excavation of 33-forested acres to accommodate 30,000 burial plots will reduce drainage and exacerbate flooding. There was a mudslide in the 1980's that ran through people's homes and killed one person.*

Response: Section 5.3.1 of the DEIS addresses current flooding conditions and states that a City-designed system of swales along the adjacent subdivision collects and conveys stormwater. Prior inspection of these swales indicated they were poorly maintained, and that this system was designed for the 10-year, 1-hour storm. Therefore, a severe storm greater than the 10-year event would result in the City's drainage system being overwhelmed and possibly flooding lower lying properties. We are not familiar with a mudslide in 1980, or whether it occurred within the Petition Area based upon your comments. However, the DEIS addresses current drainage conditions. As explained and discussed in Section 5.3, the project would not "reduce drainage and exacerbate flooding", but would improve current drainage conditions and reduce flooding risks. As discussed in Section 2.2.2, the project's preliminary design would accommodate the 100-year storm event instead of the required 10-year storm event. Detention basins would reduce the discharge volumes by an additional 3 percent for the 100-year storm event.

7. *Development will adversely impact the cultural and historical complex. The following sites have been identified in and near the petition area so far:*

*Sites in the petition area:*

- *#4680 historic*
- *#4683 historic*
- *#4684 pre-contact*
- *#4686 historic*
- *#6930 pre-contact*
- *#6931 pre-contact*
- *#6932 historic*
- *#6933 historic*

*Sites near the petition area:*

- *#345 pre-contact- Kawa'ewa'e Heiau, listed on the National Register of Historic Places*
- *#4681 pre-contact*
- *#6929 pre-contact*
- *#6931 pre-contact*

Response: An archaeological inventory survey (AIS) conducted for the proposed project was discussed in Section 4.1 of the DEIS and identifies historic sites within and adjacent to the Petition Area. It should be clarified that only Site -4681 is located outside of the Petition Area. There are no Sites -4686 or -6929 located within or adjacent to the Petition Area, and Table 4.3 clarifies the location of pertinent sites. The AIS concluded the proposed project would have an overall positive and beneficial impact on previously identified and newly identified sites within the Petition Area. Several of the historic sites that would be impacted by grading plans for the cemetery expansion were determined to require no further work due to their historic function and poor remnant

Mr. Bill Hicks  
Kailua Neighborhood Board

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condition, indicating a lack of excavation potential for finding significant data. Other sites impacted by grading plans were recommended for data recovery, after which the sites can be demolished. A total of 11 sites recorded were recommended to be included, and are subsequently included, within the Cultural Preserve. As a result, the cemetery's expansion would not impact these historic sites. These sites within the Cultural Preserve would benefit from the project's implementation.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,

A handwritten signature in black ink that reads "Scott Ezer". The signature is written in a cursive, flowing style.

Scott Ezer, Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.



# KO`OLAUPOKO HAWAIIAN CIVIC CLUB

October 22, 2018

HHF Planners  
733 Bishop Street, Suite 2590  
Honolulu, HI 96813  
Attn: Mr. Ronald Saito, Senior Associate

Re: Comments on Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement

Aloha to Mr. Saito, Representatives of Hawaiian Memorial Life Plan, Ltd., State and County Officials:

The Ko'olaupoko Hawaiian Civic Club sends its aloha to all of you as you deliberate over the draft Environmental Impact Statement (EIS) for the expansion plan of Hawaiian Memorial Park Cemetery.

Our civic club is comprised of members who live primarily in the nine ahupua`a of the Kane`ohe Bay region, from Mokapu to Kualoa. Most of our members live in Kane`ohe, and many of our members have relatives who are buried at Hawaiian Memorial Park Cemetery.

We have reviewed the draft EIS thoroughly, and we remain convinced that the project is a good one and should be allowed to proceed. When our members first reviewed the original plan offered by the Cemetery about 10 years ago, we noted several concerns both for our members and for residents of the area immediately adjacent to the project area.

Because Kawa`ewa`e Heiau is located within the Cemetery's property, it was among our major concerns. Over the years, our members have visited the heiau for traditional and cultural purposes, and wished to ensure that this important cultural complex would be preserved. The heiau is believed to have been built by O`ahu Chief Olopana, who succeeded La`amaikahiki as chief of the moku.

We have continued to monitor an ongoing evolution of planning for the Cemetery's efforts to expand the Cemetery capacity. As a result, the landowner has invited our civic club to participate with them in cultural consultation and planning for preservation of the heiau complex. We are very impressed with their work to conduct additional archaeological surveys and expanded cultural consultations with ourselves and other cultural practitioners familiar with Kawa`ewa`e heiau.

Initially, when the first proposal was offered by Hawaiian Memorial years ago, our members deliberated over whether we should support the project. The two primary concerns raised by members were the impact on our wahi kapu (the heiau) and questions raised by residents about potential for flooding. Subsequently, we checked with the Department of Planning & Permitting and were informed that the landowner had prepared an acceptable plan to address flooding issues.



Following our civic club's discussions, our members voted to support the initial proposal offered by Hawaiian Memorial Park. A key reason is that we felt it was important to ensure expansion of the Kane`ohe cemetery so that members and their families would be able to join their departed family members with burials at Hawaiian Memorial.

Now, 10 years later, we have reviewed this latest proposal by Hawaiian Memorial to expand the cemetery. We wish to note that this plan is a remarkable improvement over the first plan they proposed and brought before the Honolulu DPP and the State Land Use Commission.

They have addressed the *cultural concerns* by proposing to establish a cultural preserve in the Kawa`ewa`e heiau complex and will involve our civic club in the planning and management of this important wahi kapu. As part of this work, they conducted additional archaeological surveys and added to the knowledge of the history of this area. An important note: none of the Ko`olaupoko Hawaiian Civic Club members have a financial interest in this proposal.

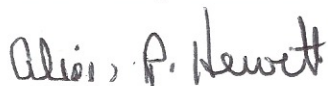
They have addressed the *flooding concerns* to meet the City's drainage requirements.

They have conducted *traffic studies* to answer questions about traffic impacts from additional gravesites, and additional studies regarding *endangered species*. We are informed that they are working on a plan to protect the single native species they found – damsel flies – with fencing or other measures. And they answered the questions regarding the *urban boundary* and *Ko`olau Poko Sustainable Communities Plan*.

In our view, Hawaiian Memorial Park Cemetery Life Plan, Ltd., has done an exceptional job preparing this new proposal for expansion and we commend them and their consultants for the important improvements made on the project.

The Ko`olaupoko Hawaiian Civic Club hereby **strongly recommends** acceptance and approval of the Draft Environmental Impact Statement offered by Hawaiian Memorial Life Plan, Ltd.

Me kealoha pumehana,



ALICE P. HEWETT  
President

*The Ko`olaupoko Hawaiian Civic Club was established in 1937 and is one of the largest in the Association of Hawaiian Civic Clubs nationwide. Ko`olaupoko HCC is a not-for-profit community organization dedicated to preserving and perpetuating the history, heritage and culture of Native Hawaiians and providing leadership and scholarships. Its membership is open to people of Hawaiian ancestry and those who are "Hawaiian at heart."*





March 29, 2019

Ms. Alice Hewett, President  
Ko'olaupoko Hawaiian Civic Club  
P.O. Box 664  
Kāne'ohe, HI 96744

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāne'ohe, O'ahu, Hawai'i

Aloha e Ms. Hewett:

Thank you for your October 23, 2018 email on behalf of the Ko'olaupoko Hawaiian Civic Club providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses under numbered subheadings corresponding to your comments (italicized).

- We have reviewed the draft EIS thoroughly, and we remain convinced that the project is a good one and should be allowed to proceed. When our members first reviewed the original plan offered by the Cemetery about 10 years ago, we noted several concerns both for our members and for residents of the area immediately adjacent to the project area.*

*Because Kawa'ewa'e Heiau is located within the Cemetery's property, it was among our major concerns. Over the years, our members have visited the heiau for traditional and cultural purposes, and wished to ensure that this important cultural complex would be preserved. The heiau is believed to have been built by O'ahu Chief Olopana, who succeeded La'amaikahiki as chief of the moku.*

*We have continued to monitor an ongoing evolution of planning for the Cemetery's efforts to expand the Cemetery capacity. As a result, the landowner has invited our civic club to participate with them in cultural consultation and planning for preservation of the heiau complex. We are very impressed with their work to conduct additional archaeological surveys and expanded cultural consultations with ourselves and other cultural practitioners familiar with Kawa'ewa'e heiau.*

*Initially, when the first proposal was offered by Hawaiian Memorial years ago, our members deliberated over whether we should support the project. The two primary concerns raised by members were the impact on our wahi kapu (the heiau) and questions raised by residents about potential for flooding. Subsequently, we checked with the Department of Planning & Permitting and were informed that the landowner had prepared an acceptable plan to address flooding issues.*

*Following our civic club's discussions, our members voted to support the initial proposal offered by Hawaiian Memorial Park. A key reason is that we felt it was important to ensure expansion of the Kane'ohe cemetery so that members and their families would be able to join their departed family members with burials at Hawaiian Memorial.*

Response: We appreciate your review of the DEIS and your support of the project. We acknowledge your organization held concerns about the previous cemetery expansion project. We note your concerns focused on the previous project's impact to Kawa'ewa'e Heiau and the potential for flooding from project implementation. The heiau is significant to members of your organization given use of the heiau for traditional and cultural purposes. Your members previously checked with the Department of Planning and Permitting and were informed that the Petitioner for the previous project had prepared an acceptable plan to address flood issues. Your organization later voted to support the previous project. We note that your organization has continued to monitor the development of cemetery expansion improvements proposed by the Petitioner and has been involved in the proposed project's planning and cultural consultation process. We note that your organization is impressed with cultural consultation efforts associated with the proposed project and efforts the Petitioner has taken to conduct additional archaeological survey's for the proposed project.

2. *Now, 10 years later, we have reviewed this latest proposal by Hawaiian Memorial to expand the cemetery. We wish to note that this plan is a remarkable improvement over the first plan they proposed and brought before the Honolulu DPP and the State Land Use Commission. They have addressed the cultural concerns by proposing to establish a cultural preserve in the Kawa'ewa'e heiau complex and will involve our civic club in the planning and management of this important wahi kapu. As part of this work, they conducted additional archaeological surveys and added to the knowledge of the history of this area. An important note: none of the Ko'olaupoko Hawaiian Civic Club members have a financial interest in this proposal. They have addressed the flooding concerns to meet the City's drainage requirements. They have conducted traffic studies to answer questions about traffic impacts from additional gravesites, and additional studies regarding endangered species. We are informed that they are working on a plan to protect the single native species they found - damsel flies -with fencing or other measures. And they answered the questions regarding the urban boundary and Ko'olau Poko Sustainable Communities Plan. In our view, Hawaiian Memorial Park Cemetery Life Plan, Ltd., has done an exceptional job preparing this new proposal for expansion and we commend them and their consultants for the important improvements made on the project.*

Response: We acknowledge that your organization has reviewed the proposed project and believe the project is an improvement over the previous cemetery expansion project. We acknowledge your assessment that the Petitioner has addressed your organization's cultural concerns through the proposed Cultural Preserve and that your organization will be involved in the Preserve's planning and management. We acknowledge your assessment that the Petitioner has addressed your organization's flooding related concerns. We confirm that the Petitioner has conducted traffic and endangered species studies to evaluate the project's impact to associated resources and to ensure necessary mitigation is proposed. We acknowledge your statement that the Petitioner has answered questions regarding the Urban District boundary and conformance with the Ko'olau Poko Sustainable Communities Plan.

3. *The Ko'olaupoko Hawaiian Civic Club hereby strongly recommends acceptance and approval of the Draft Environmental Impact Statement offered by Hawaiian Memorial Life Plan, Ltd.*  
Response: We acknowledge that your organization recommends acceptance and approval of the project's environmental review document. We note that the document that would be accepted and approved is the project's Final EIS rather than the DEIS which was stated in your comment.

Ms. Alice Hewett  
Ko'olaupoko Hawaiian Civic Club

Page 3

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Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,

A handwritten signature in black ink that reads "Scott Ezer". The signature is written in a cursive style with a large, stylized "S" and "E".

Scott Ezer, Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.



September 20, 2018

Mr. Scott Glenn, Director  
Office of Environmental Quality Control  
Department of Health  
State of Hawaii  
235 South Beretania Street, Room 702  
Honolulu, Hawai'i 96813

Mr. Daniel E. Orondenker, Executive Director  
Land Use Commission  
Department of Business, Economic Development & Tourism  
State of Hawaii  
235 South Beretania Street, Room 406  
Honolulu, Hawai'i 96813

Dear Mr. Glenn and Mr. Orondenker,

RE: Draft Environmental Impact Statement (DEIS) for Hawaiian Memorial Park Cemetery Expansion Project Kaneohe, Oahu, Hawaii Tax Map Key: (1) 4-5-033: portion of 001

Thank you for the opportunity to provide our comments on the DEIS for the proposed Hawaiian Memorial Park Cemetery expansion project.

Our home is situated along the banks of Kawa stream, which has a history of flooding and erosion. The stream is owned by the City and County of Honolulu. Our family has lived in this home for over 30 years.

Now that the DFM is no longer using herbicides to clear the stream of vegetation, the stream is only cleaned periodically and often filled with tall weeds and grasses. Flooding is a major concern of the residents in our neighborhood.

The project DEIS notes that:

- (A) Project improvements would increase impervious area due to new roadways and cemetery memorial plaques by about 3.5 acres. Construction of new roadways is estimated to be about 2 acres, and memorial plaques are estimated to encompass about 1.5 acres. The remainder of the cemetery expansion area would be grassed and landscaped.
- (B) Approximately 2 acres of impervious surface would be added to the Petition Area from development of new roadways. After project implementation, the remainder of the Petition Area would consist of cemetery lands, undeveloped land within the Cultural Preserve, and mountainous terrain mauka of the Petition Area. Project implementation results in a 2% total increase in impervious area within the 92.3 acre drainage area. The

results in a 2% total increase in impervious area within the 92.3 acre drainage area. The Cultural Preserve would remain unchanged and would have minimal change to storm water runoff.

- (C) Proposed grading and site improvements are anticipated to reduce the storm water runoff rate, resulting in a corresponding decrease in runoff volume (Sam O. Hirota, Inc., 2018). These improvements would create detention basins and improve water percolation with grassed landscaped lawns that would aid in the reduction of stormwater discharges from the site due to a hurricane.
- (D) Overall, grading improvements would have a beneficial impact on existing drainage conditions by reducing the volume of stormwater runoff and improving the quality of water being discharged. Project improvements proposed would change existing site conditions from undeveloped forest to a predominantly landscaped grass area. Topographic conditions would change to create a more level site with sloped grades of less than 20%. Therefore, runoff rates are expected to decrease because the reduction in slope and the development of landscaped groundcover would increase permeability. Reduction of stormwater runoff rates would result in a corresponding reduction of runoff volumes. Landscaped groundcover will enhance stormwater infiltration and create a vegetated buffer strip serving as a low impact development (LID) improvement. Stormwater would continue to travel in a north-northwesterly direction downslope through the Petition Area for eventual discharge into the City's existing drainage facilities.
- (E) Drainage improvements are also proposed in alignment with City water quality regulations and include construction of retention/detention basins and establishment of vegetative buffers by site landscaping. These improvements would result in a further reduction in stormwater discharge volumes, benefitting drainage conditions and downslope drainage facilities. Given that existing facilities presently appear to lack capacity beyond the 10-year storm event they were designed for, drainage improvements would positively impact these facilities and reduce potential flooding for downstream residences. Based upon this assessment, additional mitigative measures are not needed.

We have the following questions:

1. What are the potential flooding impacts to Kawa stream and adjacent properties downstream during the construction phase and after completion of your project?
2. The DEIS outlines decreased run off volumes, but does this reduce the flow and level of Kawa stream, and what would be the highest level of water in the stream during heavy rains and storms? Wouldn't "additional mitigative measures" further decrease the potential for flooding downstream?
3. The project includes the construction of an approximately 1,000-linear foot long concrete lined catchment ditch for rock fall mitigation. How does this concrete ditch affect stormwater flow into Kawa stream?

4. We have had several recent near misses with Hurricanes Lane and Olivia. The DEIS describes on site stormwater retention areas as part of the design. Will these detention basins be adequate to prevent flooding downstream to residential properties during extraordinary storm events?
5. The stream bank adjacent to our home is earthen and unlined. What effects would the project have on erosion?
6. What assurances do we and other homeowners along the banks of Kawa stream have that the project will not cause future flooding or erosion?

Please note that we are not opposed to the cemetery expansion, however we are very concerned about the potential for unintended consequences occurring due to increased stream flow, flooding and erosion of the banks downstream where we live. Thank you in advance for your response and information.

Sincerely,



Pat & Dianna Lee  
45-248A Pahikaua Place  
Kaneohe, HI 96744  
(808) 235-8919

Cc: Mr. Ron Saito  
HHF Planners







March 29, 2019

Mr. Pat and Mrs. Dianna Lee  
45-248A Pahikaua Place  
Kāneʻohe, HI 96744

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Mr. and Mrs. Lee:

Thank you for your September 20, 2018 letter providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses under numbered subheadings corresponding to your comments.

1. *Our home is situated along the banks of Kawa stream, which has a history of flooding and erosion. The stream is owned by the City and County of Honolulu. Our family has lived in this home for over 30 years. Now that the DFM is no longer using herbicides to clear the stream of vegetation, the stream is only cleaned periodically and often filled with tall weeds and grasses. Flooding is a major concern of the residents in our neighborhood.*

Response: We note your home is located a considerable distance away (about 0.5 miles) from the Petition Area, closer to the rear of Castle High School. Thank you for informing us that the City Department of Facility Maintenance (DFM) previously used herbicides to clear the stream of vegetation, but now only periodically cleans it leaving it filled with weeds and grasses.

Unfortunately, such vegetation growth within that unimproved section of the stream near your home would reduce the available storage capacity and flow of water that could potentially cause stream sections to flood during severe storms. We understand how flooding can be a concern for residents in your area, and such maintenance issues should be brought to the attention of appropriate City representatives. We suggest you contact the Mayor's office.

2. *The project DEIS notes that: [paragraphs numbered A to E]*

Response: We note these numbered paragraphs consist of statements copied from various DEIS sections, such as drainage and hurricanes.

3. *What are the potential flooding impacts to Kawa stream and adjacent properties downstream during the construction phase and after completion of your project?*

Response: Section 3.2.4 addresses proposed project effects on flooding and explains that runoff velocity and volumes from the Petition Area would decrease due to the reduction in overall site slope as well as proposed drainage improvements. Installation of turf grass would also slow the velocity of runoff and result in improved stormwater infiltration and decreased sediment transport. Remaining runoff would be detained by future retention/detention basins, allowing sediments and

nutrients to settle before eventually discharging into the City's drainage system and Kāwā Stream as discussed in Section 3.7. Section 5.3.1 of the DEIS also addresses current flooding conditions and explains how the proposed project would improve current drainage conditions and reduce potential downstream flooding. As discussed in Section 2.2.2, the project's preliminary design would accommodate the 100-year storm event instead of the required 10-year storm event. Detention basins would reduce the discharge volumes by an additional 3 percent for the 100-year storm event. Therefore, the project would decrease current runoff generated from the Petition Area and reduce potential flooding of downstream properties. It should also be noted that Kāwā Stream in the vicinity of your home reflects the downstream collection of storm water runoff from the larger Pikoiloa subdivision. The condition (e.g. blockages) of the stream within that subdivision along with impervious surfaces from the many residences contribute to potential downstream flooding reflecting the need for the City to better address your concerns.

As discussed in Section 2.2.2, several design measures and best management practices (BMPs) are proposed to address short-term construction activities and mitigate runoff effects. Retention basins are also planned to detain runoff during construction activities. It is anticipated the main grading work for the project would be done in one phase, in maximum 5-acre increments, to minimize disruptions to adjacent residences. Thus, short-term construction activities would not increase potential flooding of your property located about 0.5 miles away from the project site.

4. *The DEIS outlines decreased run off volumes, but does this reduce the flow and level of Kawa stream, and what would be the highest level of water in the stream during heavy rains and storms? Wouldn't "additional mitigative measures" further decrease the potential for flooding downstream?*

Response: The project would decrease runoff volumes from the Petition Area which would correspondingly reduce the volume being discharged into Kāwā Stream by the City's drainage system. However, storm water runoff is only generated during periods of sufficient rainfall. The results of a water quality study prepared for the DEIS (Appendix I) shows that a vast majority of sediment and nutrient loads during the monitoring period were carried in Kāwā Stream during nine storm events. About 69% of stream flow during this monitoring period occurred during just these nine storm events. Therefore, although the volume would be reduced, the "level" of water in the stream would not be practically changed during normal non-storm periods. During severe storms, the change in the "level" of water in the stream with the proposed project would essentially be unnoticeable over current conditions. Furthermore, the level of water flowing in the stream would be affected by downstream conditions, such as blockage by vegetation. It is unrealistic to estimate the highest level of water in the stream during storms. The level of water would be subject to the width and depth of the stream that changes at various locations, blockage by vegetation within and along the banks, intensity of the storm and storm duration, etc. Exhibit 3.22 shows the flow rates at various monitoring sites. This shows that downstream areas receive considerable runoff from surrounding residential areas, therefore, the stream water level would likely increase further downstream after collecting runoff from larger areas. Consequently, additional mitigative measures are not required nor warranted for the project because design measures and drainage improvements would already decrease runoff volumes and velocity from the Petition Area, reflecting an improvement over existing conditions. The City requires no net increase in runoff volumes with a development. Thus, the project would exceed this requirement.

5. *The project includes the construction of an approximately 1,000-linear foot long concrete lined catchment ditch for rock fall mitigation. How does this concrete ditch affect stormwater flow into Kawa stream?*

Response: The concrete ditch for rockfall would improve storm water flow by reducing velocities from upper areas and provides some detention of storm water. Section 3.2.6 of the DEIS discusses this and indicates the ditch would serve as a drainage interception system.

6. *We have had several recent near misses with Hurricanes Lane and Olivia. The DEIS describes on site stormwater retention areas as part of the design. Will these detention basins be adequate to prevent flooding downstream to residential properties during extraordinary storm events?*

Response: As discussed in Section 2.2.2, the drainage system would be designed to accommodate a 100-year storm. It should be clarified that the purpose for these basins are to detain water to allow infiltration and not prevent runoff from occurring during severe storms. Detention basin outlets would be designed to completely drain within 48 hours when full and 24 to 36 hours when half full. A hurricane or severe storm greater than a 100-year storm would result in considerable discharges from the Petition Area, but would still be less than what would occur under current conditions. Furthermore, downstream properties, such as your home, would be more influenced by other factors already discussed (e.g. runoff from residential areas, maintenance of stream).

7. *The stream bank adjacent to our home is earthen and unlined. What effects would the project have on erosion?*

Response: Erosion of the unlined stream banks near your home would be impacted by severe storms subject to the amount of flows and velocity of water occurring within the stream. As already discussed, being located about 0.5 miles downstream of the Petition Area, the stream bank near your home would be more greatly influenced by runoff generated from the subdivision, blockages of stream flows both up and downstream, and condition of the stream banks itself. Drainage in the subdivision focuses runoff into the stream that collects near your home. Being that far removed from the Petition Area and subject to these other considerable factors, the project would likely have negligible effects on erosion of the stream banks near your home. The project's drainage improvements would reduce runoff volumes and velocity, and should help to reduce potential effects.

8. *What assurances do we and other homeowners along the banks of Kawa stream have that the project will not cause future flooding or erosion?*

Response: It is unreasonable to expect a guarantee from the Petitioner that your home or other homes downstream from the Petition Area could not get flooded from severe storm events or natural hazards, such as a hurricane. Severe weather conditions or natural hazards are beyond control. Furthermore, your home is located about 0.5 miles downstream of the Petition Area, and is subject to many other factors contributing to flows in the stream. Any flooding occurrences would also be attributed to the capacity and condition of the City's existing drainage system serving the subdivision. Nevertheless, the project and drainage improvements would have a beneficial effect by improving current conditions and reducing the volume and velocity of storm water entering that system.

9. *Please note that we are not opposed to the cemetery expansion, however we are very concerned about the potential for unintended consequences occurring due to increased stream flow, flooding and erosion of the banks downstream where we live.*

Response: We appreciate your concerns with the stream and potential flooding. However, many of the issues associated with the condition of the stream near your home are due to other factors that should be more appropriately addressed by the City, the responsible entity for that drainage system. We also appreciate that you are not opposed to the project.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,

A handwritten signature in black ink that reads "Scott Ezer". The signature is written in a cursive, flowing style.

Scott Ezer, Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.



***"Keeping Kailua Clean, Green and Beautiful"***

October 20, 2018

Ronald Sato, AICP Senior Associate  
HHF Planners  
733 Bishop Street Suite 2590  
Honolulu, Hawaii 96813

Scott Derrickson,  
State of Hawaii, Land Use Commission, DBEDT  
P.O. Box 2359  
Honolulu, Hawaii 96804

Subject: Hawaiian Memorial Park Expansion Project

Aloha,

The Lani-Kailua Outdoor Circle is opposed to the currently proposed 28-acre expansion of the existing Hawaiian Memorial Park facilities into preservation-zoned land in Kaneohe, Oahu.

This project, which includes extensive re-grading and the extensive removal of an existing mature tree canopy as well as native flora, has the potential to negatively impact the entire ahupua`a and watershed, from Mahinui Ridge, through the Pikolia residential neighborhoods, down to Kaneohe Bay and ancient fish ponds. The area was placed in conservation to protect it from just such type of **environmentally harmful development**.

Our concerns about the project include the following:

- extensive **destruction of existing tree-forested areas**, with accompanying loss of other native flora and fauna;
- potential for flooding in downslope neighborhoods and **damage to the natural watershed function of the area** due to loss of such vegetation and the extensive grading planned;
- potential for **irreparable damaging impacts to the entire watershed and Kaneohe Bay** due to chemical leachate runoff from extensive proposed lawns and landscaping.

We understand that the Koolau Poko Sustainable Communities Plan was revised last year, to potentially allow conversion of conservation land to urban uses, but we strongly oppose this particular project for the environmental reasons given, and hope this DEIS will **not be approved**.

Sincerely,  
Diane Harding  
President, The Lani-Kailua Outdoor Circle  
P.O. Box 261, Kailua, HI 96734





March 29, 2019

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

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Ms. Harding:

Thank you for your October 20, 2018 letter providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses under numbered subheadings corresponding to your comments.

- The Lani-Kailua Outdoor Circle is opposed to the currently proposed 28-acre expansion of the existing Hawaiian Memorial Park facilities into preservation-zoned land in Kaneohe, Oahu.*  
Response: We acknowledge the organization's opposition to the proposed cemetery expansion.
- This project, which includes extensive re-grading and the extensive removal of an existing mature tree canopy as well as native flora, has the potential to negatively impact the entire ahupua'a and watershed, from Mahinui Ridge, through the Pikolia residential neighborhoods, down to Kaneohe Bay and ancient fish ponds. The area was placed in conservation to protect it from just such type of environmentally harmful development.*  
Response: The project would not adversely impact the area watershed as discussed in the DEIS, and proposed improvements would improve the watershed by increasing infiltration, reducing runoff velocity and volumes, reducing erosion, and improving water quality. The proposed project would not significantly impact the ahupua'a based upon the results of studies and assessments discussed in pertinent sections of the DEIS. The project would improve the watershed (Section 3.6) and surface waters (Section 3.7) within the Petition Area, and improve water quality (Section 3.8), all of which benefit the ahupua'a.  
The DEIS results demonstrate the proposed project would not be "environmentally harmful", provides significant benefits to the environment, and includes design methods and other measures to minimize and avoid effects. The appropriateness of reclassifying the Petition Area's State Conservation District designation is discussed in Section 6.1.1, and it is noted these areas were previously designated for "Residential," "Low Density Apartment," and "Agricultural" uses. The property is within the Conservation District due to changes in the regulations as opposed to its natural resources or character. The City's 1964 Detailed Land Use Map designated this area for residential, low density apartment, and a portion for agricultural use. Under the initial creation of Conservation Districts, there were only two subzones consisting of General Use and Restricted

Watershed. This property was included under the General Use designation which allowed a wide variety of urban uses, including resort, residences, restaurants, and recreational facilities.

3. *Our concerns about the project include the following:*

- a. *Extensive destruction of existing tree-forested areas, with accompanying loss of other native flora and fauna;*

Response: As discussed in Section 3.3 of the DEIS, the botanical study (Appendix E) determined that the existing Petition Area consists of an alien forest dominated by introduced (alien) plant species (90%). The area has been disturbed historically, being previously used for pineapple cultivation and dairy farming activities. Alteration of native plant habitat has been in place for decades, with few native plant elements remaining, and is characterized as a highly disturbed Schefflera/Java Plum forest. None of the plant species observed in the Petition Area are threatened, endangered or a species of concern. The present character of the site is dominated by introduced plant species and would change to an open landscaped character consisting mainly of grass and landscaping plantings. However, this would not have an adverse effect on flora, and measures were proposed to use seeds or cuttings from extant indigenous and endemic plants as part of replanting efforts around the cemetery expansion or within the Cultural Preserve. Section 3.4 discussed that all mammalian species detected are alien species and deleterious to native ecosystems and their dependent organisms based upon a faunal study (Appendix F). The study also determined that there is no suitable habitat for the Pue'ō to forage in or nest in within the Petition Area, and standard measures were proposed for construction activities to avoid impacting the hoary bat, if it occurs within the area. Therefore, the project would not adversely impact fauna.

- b. *Potential for flooding in downslope neighborhoods and damage to the natural watershed function of the area due to loss of such vegetation and the extensive grading planned;*

Response: Section 2.2.2 describes that the proposed project's preliminary design would accommodate the 100-year storm event instead of the required 10-year storm event. Detention basins would reduce the discharge volumes by an additional 3 percent for the 100-year storm event. Section 3.2.4 addresses the project effects on flooding and explains that runoff velocity and volumes from the Petition Area would decrease due to the reduction in overall site slope as well as proposed drainage improvements. Installation of turf grass would slow the velocity of stormwater runoff and result in improved stormwater infiltration and decreased sediment transport. Therefore, the project would decrease current runoff generated from the Petition Area and reduce potential flooding of downstream properties. This area contributes to groundwater recharge from surface runoff as discussed in Sections 3.6 and 3.7. The project would change topographic conditions and current drainage patterns within this watershed, but the watershed boundary does not change, nor would its function. Thus, the proposed project would not adversely impact this watershed or its recharge capacity. The proposed project would improve existing drainage conditions increasing infiltration and groundwater recharge that benefits the watershed.



- c. *Potential for irreparable damaging impacts to the entire watershed and Kaneohe Bay due to chemical leachate runoff from extensive proposed lawns and landscaping.*  
Response: HMP maintenance staff occasionally use the herbicide Roundup (glyphosate) to address spot areas needing treatment. The Petitioner indicated such use is infrequent due to the generally wet weather in Kāneʻohe, and the physical nature of HMP cemetery (landscaped lawn). Fertilizers are not necessary due to generally fertile conditions, supportive weather conditions, and lower maintenance needed for turf grass, as opposed to golf courses, that are more dependent upon fertilizers. In addition, pesticides are not used by maintenance staff for HMP's cemetery according to the Petitioner. Section 3.8 of the DEIS discusses water quality and addresses samples tested providing sufficient information on the levels of pesticides being discharged into Kāwā Stream. It should be noted that the test results suggest that the input of glyphosate into Kāwā Stream from the Veterans Cemetery and HMP is broadly similar to the input of glyphosate from the lower residential communities that discharge runoff and pollutants into the stream.  
Section 3.8 of the DEIS addresses water quality and current conditions contributing to pollutant loads into Kāwā Stream that eventually discharge into Kāneʻohe Bay. Kāneʻohe Bay's current water quality is affected by larger factors besides Kāwā Stream, as the bay receives discharges from the larger Kāneʻohe district and other urban developments. As discussed in Section 3.8.2, the proposed project would have a beneficial effect on water quality and the stream because grading and drainage improvements would decrease existing steep grades within the site, reduce the volume and velocity of runoff, and improve opportunities for water to infiltrate instead of discharging. Turf grass would slow the flow of site runoff, improving ground infiltration and reducing runoff volumes. Retention/detention basins capturing and treating runoff generated from the cemetery would be designed for a 100-year frequency, one-hour duration storm event significantly reducing sediment and nutrient loads by treating the first flush of runoff from high-intensity rainfall events. These improvements would have a positive beneficial effect on the watershed, stream, and bay, and would not cause irreparable damage.
4. *We understand that the Koolau Poko Sustainable Communities Plan was revised last year, to potentially allow conversion of conservation land to urban uses, but we strongly oppose this particular project for the environmental reasons given, and hope this DEIS will not be approved.*  
Response: The expansion of HMP has been incorporated in the City's updated *Koʻolau Poko Sustainable Communities Plan* with the adoption of Ordinance 17-42. The proposed project is consistent with the City's sustainable communities plan which designates this area for urban expansion within the Community Growth Boundary. Responses in this letter, along with the information included in the DEIS show that the proposed project would be compatible with the environment, not result in adverse impacts, and include design concepts and other measures to minimize and avoid effects.

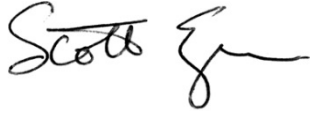
Ms. Diane Harding  
The Lani-Kailua Outdoor Circle

Page 4

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Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Ezer". The signature is written in a cursive, flowing style.

Scott Ezer, Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.

## Ronald Sato

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**From:** Ronel Makuakane <ronelmakuakane@gmail.com>  
**Sent:** Tuesday, October 23, 2018 4:21 PM  
**To:** dbedt.luc.web@hawaii.gov  
**Cc:** Ronald Sato  
**Subject:** Support

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

The project is NEEDED by the community for the future and is well managed and maintained.

🌺Mahalo

--

This message has been scanned for viruses and dangerous content using [Worry-Free Mail Security](#), and is believed to be clean. [Click here to report this message as spam.](#)



March 29, 2019

Mr. Ronel Makuakane  
ronelmakuakane@gmail.com

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Mr. Makuakane:

Thank you for your October 23, 2018 email providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses to your comments (italicized).

*The project is NEEDED by the community for the future and is well managed and maintained.*

Response: We acknowledge your belief that the project is needed by the community for the future and is well managed and maintained.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,

A handwritten signature in black ink that reads "Scott Ezer". The signature is fluid and cursive.

Scott Ezer, Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.

October 22, 2018

Dear Sir/Madam,

I am Grace Manio, a former Family Service Counselor with Hawaiian Memorial Park Cemetery. In 2009, I had a privilege to speak on behalf of HMPC in their goal of seeking approval for expansion during the public hearing. My support for them remains the same, if not even stronger, after more than 3 years of being part of their organization. As a former Family Service Counselor, I saw firsthand the need of families to be interred together or at least be in the same cemetery as their deceased loved ones. There is still a significant preference for traditional burials due to religious and cultural practices. The arguments against the expansion were about the preservation of cultural areas, the environmental impact, impact of building residential real estate, and negative traffic conditions that might result from the expansion. These are valid reasons and were completely taken into consideration. As I reviewed the comparison table from 2008 to 2018, I can clearly see that this expansion is even more beneficial for the community in Kaneohe. The requested expansion area is significantly reduced from 56.6 acres to 36.8 acres. The expansion stops at the beginning of the cultural preserve. There will 14.5 acres of cultural preserve that will be managed and under the care of **Ko'olaupoko Hawaiian Civic Club**. This group will ensure that implementation of what was promised is honored and done. The 2018 proposal also includes working with the Hawaiian Island Land Trust to establish conservation easement on 156.5 acres. The stewardship of the land now has a checks and balances system that will safeguard both the needs of families for internment and preserving the cultural heritage of the land.

**HMP Plan was added to the KPSCP with a boundary amendment. 8-0 and 1 recused Vote in support at City Council with approval of the updated KPSCP**

I truly believe that the stormwater designs which address impacts to Kawa Stream for 100years and 1 hour is a win for the residents that have been victims of the damages of torrential rains and flooding in the past. These improvements are financed by HMPC and are not paid for by taxpayers. These cost saving measures benefit the community and the generations to come.

The exclusions of both the residential area of 6.4 acres and the Lipalu Street Access on the 2018 proposal also removes the negative impact of residential development and traffic congestion in the areas close to the expansion. These three most important revisions are the reasons why I support the expansion. HMPC listened and responded positively to work with the community in creating win-win solutions.

The relationship of the earth with humans can never be taken for granted. We are interdependent and symbiotic. Hawaiian Memorial Park Cemetery is an organization that listens and is willing to work with the community it serves. The families of Kaneohe that need to be interred together are asking you for help. The future of their choices and preferences depends on the outcome of these proceedings. Thank you so much for the opportunity to share my views and support for the expansion. Please feel free to contact me at [graceunlimited22006@gmail.com](mailto:graceunlimited22006@gmail.com).

Very Respectfully Yours,

Grace Perez-Manio



March 29, 2019

Ms. Grace Perez-Manio  
graceunlimited22006@gmail.com

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Ms. Manio:

Thank you for your October 23, 2018 email providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses under numbered subheadings corresponding to your comments (italicized).

- I am Grace Manio, a former Family Service Counselor with Hawaiian Memorial Park Cemetery. In 2009, I had a privilege to speak on behalf of HMPC in their goal of seeking approval for expansion during the public hearing. My support for them remains the same, if not even stronger, after more than 3 years of being part of their organization. As a former Family Service Counselor, I saw firsthand the need of families to be interred together or at least be in the same cemetery as their deceased loved ones. There is still a significant preference for traditional burials due to religious and cultural practices. The arguments against the expansion were about the preservation of cultural areas, the environmental impact, impact of building residential real estate, and negative traffic conditions that might result from the expansion. These are valid reasons and were completely taken into consideration.*

Response: We acknowledge your support for the Petitioner and belief that families need to be interred in the same cemetery as their relatives. We agree that demand for in-ground casketed burials exists. As indicated in the project market study, anticipated demand for in-ground casketed burials will continue to increase although cremation is expected to remain the dominant method of burial disposition. We agree with your assessment that arguments against the cemetery expansion project were taken into consideration by the Petitioner in the design of the proposed project.
- As I reviewed the comparison table from 2008 to 2018, I can clearly see that this expansion is even more beneficial for the community in Kaneohe. The requested expansion area is significantly reduced from 56.6 acres to 36.8 acres. The expansion stops at the beginning of the cultural preserve. There will 14.5 acres of cultural preserve that will be managed and under the care of Koʻolaupoko Hawaiian Civic Club. This group will ensure that implementation of what was promised is honored and done. The 2018 proposal also includes working with the Hawaiian Island Land Trust to establish conservation easement on 156.5 acres. The stewardship of the land now has a checks and balances system that will safeguard both the needs of families for internment and preserving the cultural heritage of the land.*

Response: We agree that the cemetery expansion project will be more beneficial to the community than the earlier expansion project proposed for the Petition Area. We agree that the proposed project will safeguard the interment needs of families while preserving the archaeological and cultural resources found within the Petition Area. Your comment correctly states that the acreage proposed for cemetery expansion would be reduced. However, this area would decrease from 35.6 acres as proposed in the earlier cemetery expansion project to 28.2 acres as planned by the proposed project. Your comment incorrectly states that the expansion area would be reduced from 56.6 acres to 36.8 acres. The other aspects of the project description discussed in your comment are consistent with the DEIS.

3. *I truly believe that the stormwater designs which address impacts to Kawa Stream for 100 years and 1 hour is a win for the residents that have been victims of the damages of torrential rains and flooding in the past. These improvements are financed by HMPC and are not paid for by taxpayers. These cost saving measures benefit the community and the generations to come.*

Response: Proposed drainage improvements designed to accommodate the 100-year, 1-hour storm event include detention basins and associated drain inlets. As indicated in the DEIS, detention basins would retain stormwater generated by the proposed project, allowing the stormwater to drain slowly into municipal drainage facilities located downslope. This would result in an anticipated reduction in the volume of runoff from the Petition Area. We agree that the anticipated reduction in runoff would reduce flood potential for downstream residences. Proposed Petition Area drainage improvements would be funded and developed by HMP and would not require taxpayer revenue for construction.

4. *The exclusions of both the residential area of 6.4 acres and the Lipalu Street Access on the 2018 proposal also removes the negative impact of residential development and traffic congestion in the areas close to the expansion. These three most important revisions are the reasons why I support the expansion. HMPC listened and responded positively to work with the community in creating win-win solutions.*

Response: Your comment correctly states that the 6.4 acre residential subdivision and associated Lipalu Street access road proposed by the prior cemetery expansion project is not planned in the proposed project. As indicated in your comment, the Petitioner has considered concerns raised about the prior cemetery expansion project, which has influenced the design of the proposed project.

5. *The relationship of the earth with humans can never be taken for granted. We are interdependent and symbiotic. Hawaiian Memorial Park Cemetery is an organization that listens and is willing to work with the community it serves. The families of Kaneohe that need to be interred together are asking you for help. The future of their choices and preferences depends on the outcome of these proceedings. Thank you so much for the opportunity to share my views and support for the expansion. Please feel free to contact me at [graceunlimited22006@gmail.com](mailto:graceunlimited22006@gmail.com).*

Response: We acknowledge your belief that the Petitioner listens to and is willing to work with the community it serves. The proposed project will provide additional burial space that will increase disposition and memorialization options for Hawai'i residents. Families will have greater opportunity to be buried in the same locations where deceased family members are already interred.



Ms. Grace Perez-Manio

Page 3

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Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,

A handwritten signature in black ink that reads "Scott Ezer". The signature is written in a cursive style with a large, stylized "S" and "E".

Scott Ezer, Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.



Rene M. Mansho  
94-428 Kahulialii Street  
Mililani, HI 96789

October 22, 2018

State of Hawaii Land Use Commission  
Dept. of Business & Economic Development & Tourism  
P.O. Box 2359  
Honolulu, HI 96804-2359

**Subject: Support for Request by Hawaiian Memorial Park for Boundary  
Amendment**

Aloha Chair Jonathan Scheuer, First Vice Chair Nancy Cabral, and  
Second Vice Chair Aaron Mahi,

My name is Rene Mansho and am expressing my support for the boundary amendment request by Hawaiian Memorial Park.

My family has appreciated the valuable memorial and funeral services over the past six decades, and we are hoping to continue to rely on their kokua for our future generations. Hawaii is such a unique and special place, and the beauty of our Windward region is a source of pride on how the environment has thrived through the years. That valuable open space is a treasured green belt that needs to be preserved through the efforts of the Hawaiian Memorial Park Ohana.

Putting on my community volunteer hat, I am in awe of the active financial and manpower support that the Hawaiian Memorial Park (HMP) Ohana provides to a multitude of communities island wide. For the past 15 years, I coordinated the Aloha `Aina Earth Day and current monthly Going Green Recycling Community Clean Up Project, and HMP has been an environmental partner in providing lunch for all the volunteers at all of the events for the past 10 years. The communities really cherish their partnership.

Last year, I was part of the Gold Star Families Memorial Monument Project sponsored by WWII Medal of Honor recipient Woody Hershel Williams and the HMP Ohana, to honor veterans and the family members left behind by their heroes who died while serving in active duty. The families were very touched and thank me whenever I see them for "remembering them" over the years.

In fact, I have attended many funeral services at Hawaii Memorial Park and Borthwick Mortuary for our first responders policemen, firemen, ambulance and military personnel who died while still in active service, and I was so surprised that the services were being provided at no cost to the family, but as a gift of their appreciation for their service. What an amazing business to be able to offer that vital service.

More recently, I was asked to help the American Veterans of Hawaii with funeral arrangements for a 35-year old veteran who was murdered and had no family here, and was in need of a Buddhist memorial service. The HMP Ohana offered their assistance and once again a grieving family's needs were supported.

I have attended presentations and am impressed with their outreach efforts to address the residents' concerns regarding environmental and conservation impacts, Native Hawaiian cultural respect and preservation measures, and just being willing to sit and listen with the local neighborhoods.

Please allow Hawaii Memorial Park to continue their future plans to assist the families of Hawaii as they work to manage and maintain this valuable asset for our Hawaii families and the Windward community.

Sincerely,



Rene Mansho  
Volunteer Coordinator for Going Green Recycling Community Clean Up





March 29, 2019

Ms. Rene Mansho  
94-428 Kahulialii Street  
Mililani, HI 96789

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Ms. Mansho:

Thank you for your October 22, 2018 email providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses under numbered subheadings corresponding to your comments (italicized).

- My name is Rene Mansho and am expressing my support for the boundary amendment request by Hawaiian Memorial Park.*

*My family has appreciated the valuable memorial and funeral services over the past six decades, and we are hoping to continue to rely on their kokua for our future generations. Hawaii is such a unique and special place, and the beauty of our Windward region is a source of pride on how the environment has thrived thorough the years. That valuable open space is a treasured green belt that needs to be preserved through the efforts of the Hawaiian Memorial Park Ohana.*

Response: We appreciate your support of the proposed project and acknowledge your belief that the proposed project will preserve the open space character of the Windward region.
- Putting on my community volunteer hat, I am in awe of the active financial and manpower support that the Hawaiian Memorial Park (HMP) Ohana provides to a multitude of communities island wide. For the past 15 years, I coordinated the Aloha `Aina Earth Day and current monthly Going Green Recycling Community Clean Up Project, and HMP has been an environmental partner in providing lunch for all the volunteers at all of the events for the past 10 years. The communities really cherish their partnership.*

*Last year, I was part of the Gold Star Families Memorial Monument Project sponsored by WWII Medal of Honor recipient Woody Hershel Williams and the HMP Ohana, to honor veterans and the family members left behind by their heroes who died while serving in active duty. The families were very touched and thank me whenever I see them for "remembering them" over the years. In fact, I have attended many funeral services at Hawaii Memorial Park and Borthwick Mortuary for our first responders policemen, firemen, ambulance and military personnel who died while still in active service, and I was so surprised that the services were being provided at no cost to the family, but as a gift of their appreciation for their service. What an amazing business to be able to offer that vital service.*

*More recently, I was asked to help the American Veterans of Hawaii with funeral arrangements for a 35-year old veteran who was murdered and had no family here, and was in need of a*

*Buddhist memorial service. The HMP Ohana offered their assistance and once again a grieving family's needs were supported.*

Response: We appreciate your recognition of the support the Petitioner has provided for the various community events discussed in your comments.


3. *I have attended presentations and am impressed with their outreach efforts to address the residents' concerns regarding environmental and conservation impacts, Native Hawaiian cultural respect and preservation measures, and just being willing to sit and listen with the local neighborhoods.*

*Please allow Hawaii Memorial Park to continue their future plans to assist the families of Hawaii as they work to manage and maintain this valuable asset for our Hawaii families and the Windward community.*

Response: We appreciate your attendance at presentations held for the proposed project and acknowledge your assessment that these outreach efforts have addressed concerns raised about the project.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,

A handwritten signature in black ink that reads "Scott Ezer". The signature is written in a cursive, flowing style.

Scott Ezer, Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.

## Ronald Sato

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**From:** Joyce Mayekawa <JMAYEKAWA@YAHOO.COM>  
**Sent:** Tuesday, October 23, 2018 4:17 PM  
**To:** dbedt.luc.web@hawaii.gov  
**Cc:** Ronald Sato  
**Subject:** Expansion

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

The DEIS is a thorough document that addresses my concerns and questions

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March 29, 2019

Ms. Joyce Mayekawa  
Jmayekawa@yahoo.com

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Ms. Mayekawa:

Thank you for your October 23, 2018 email providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses to your comments (italicized).

*The DEIS is a thorough document that addresses my concerns and questions*

Response: We acknowledge your assessment that the DEIS is a thorough document that addresses your concerns and questions.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,

A handwritten signature in black ink that reads "Scott Ezer". The signature is fluid and cursive.

Scott Ezer, Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.



## Ronald Sato

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**From:** nick m <duc99859@yahoo.com>  
**Sent:** Tuesday, October 23, 2018 4:13 PM  
**To:** dbedt.luc.web@hawaii.go  
**Cc:** Ronald Sato  
**Subject:** Expansion

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

The DEIS is a thorough document that addresses my concerns and questions.

Thank you,  
N.Mayekawa.

This message has been scanned for viruses and dangerous content using Worry-Free Mail Security and is believed to be clean.

## Ronald Sato

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**From:** nick m <duc99859@yahoo.com>  
**Sent:** Tuesday, October 23, 2018 4:45 PM  
**To:** dbedt.luc.web@hawaii.gov  
**Cc:** Ronald Sato  
**Subject:** Expansion.

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

The DEIS is a thorough document that addresses my concerns and questions.

Thank you,  
N.Mayekawa.

This message has been scanned for viruses and dangerous content using Worry-Free Mail Security and is believed to be clean.



March 29, 2019

Mr. Nick Mayekawa  
Duc99859@yahoo.com

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Mr. Mayekawa:

Thank you for your October 23, 2018 emails providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. Your first email was received at 4:13 PM on October 23, 2018 and your second email discussing the same comments was received at 4:45 PM on October 23, 2018. We are responding to both of your emails via one response because your emails discussed the same comment (*italicized*).

*The DEIS is a thorough document that addresses my concerns and questions.*

Response: We acknowledge your belief that the DEIS is a through document that addresses your comments and concerns.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,

A handwritten signature in black ink that reads "Scott Ezer". The signature is fluid and cursive.

Scott Ezer, Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.



10/20/18

Susan McBride  
45-487 Lipalu St  
Kaneohe, HI 967844

HHF Planners  
Ronald A. Sato

My house on Lipalu street has an existing problem of water seeping out of the ground into my yard. My house is lower in elevation than the petition area. I am concerned that the extensive grading and alterations proposed in the DEIS may have unintended negative consequences, and make my seepage problem worse.

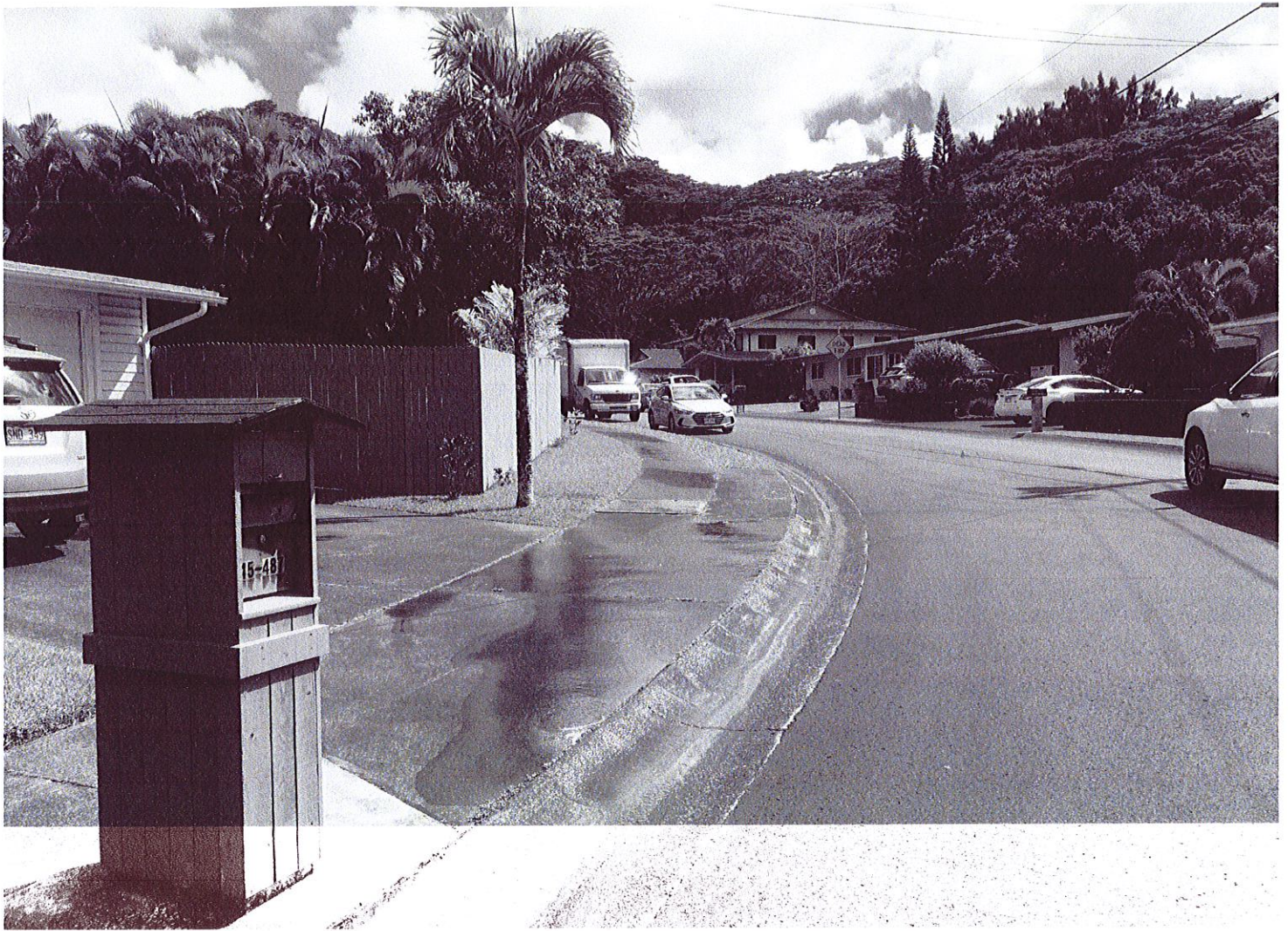
I oppose the proposed cemetery expansion and prefer to leave the land as is rather than take the risk of negative effects from development.

Sincerely,



Susan McBride

*I did email a picture of this same letter to you - not sure if I did it correctly.*







March 29, 2019

Ms. Susan McBride  
45-487 Lipalu Street  
Kaneohe, HI 96744

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Ms. McBride:

Thank you for your October 20, 2018 letter providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We did not receive your email, but did receive your hardcopy letter. We have provided responses under numbered subheadings corresponding to your comments.

1. *My house on Lipalu street has an existing problem of water seeping out of the ground into my yard. My house is lower in elevation than the petition area. I am concerned that the extensive grading and alterations proposed in the DEIS may have unintended negative consequences, and make my seepage problem worse.*

Response: We note the address listed for your residence is located at the intersection of Ohaha Street and Lipalu Street, and is over 500 feet away from the end of Lipalu Street. Any existing seepage problems at your home could be due to an isolated situation related to environmental or subsurface conditions, or even utility issues (e.g. leaking waterline). Grading improvements at Hawaiian Memorial Park are not expected to affect your existing problem. There are no seeps occurring within the Petition Area above Lipalu Street, and grading plans (Figure 2.3) show that area mainly being filled.

2. *I oppose the proposed cemetery expansion and prefer to leave the land as is rather than take the risk of negative effects from development.*

Response: We acknowledge your opposition to the project. The analysis presented in the DEIS demonstrates the project would not have an adverse effect on the environment, provides benefits to the environment, serves an important community need, supports cultural practices, and includes design methods and other measures to minimize and avoid effects.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or [sezer@hhf.com](mailto:sezer@hhf.com).

Sincerely,

Scott Ezer  
Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.





October 21, 2018

HFF Planners  
733 Bishop Street, Suite 2590  
Honolulu, HI 96813  
ATTENTION: Mr. Ronald Sato, Senior Planner

State of Hawaii  
Land Use Commission  
Department of Business, Economic Development and Tourism  
PO Box 2359  
Honolulu, HI. 96804  
ATTENTION : Scott Derrickson

**HMP is applying for a District Boundary Amendment** under the **guise that cemeteries are considered green, open space.** But, in actuality, Hawaiian Memorial Park is far from that. There are significant reasons why **cemeteries should not be allowed** in conservation districts.

“We call our cemeteries parks and lawns and fields and greens. **Yet the American Graveyard hardly qualifies as a natural environment.** For all their landscaping aboveground, our cemeteries function less as verdant resting grounds of the dead than as **landfills for the materials** that infuse and encase them.”

“**Little Research has focused on the potential environmental consequences** of depositing such large quantities of hazardous substances into cemetery grounds. Furthermore, **no one is systematically testing cemetery groundwaters for formaldehyde pollution in the United States.** EPA regulates it as a hazardous waste.” (Harris, M., *Grave Matters*, page 38 )

The 1998 World Health Organization (WHO) documented **THE IMPACT OF CEMETERIES ON THE ENVIRONMENT AND PUBLIC HEALTH.** The findings of research from Australia, Brazil, Europe and South Africa note that **most existing cemeteries were sited without thought given to potential risks** to the local environment and community. Please comment on the following questions that **WHO** presented:

**What are safe distances between aquifers in various geological and hydrogeological situations?**

**Have there been any recorded disease outbreaks or epidemics caused by microorganisms seeping from cemeteries?**

**What is the epidemiological evidence for populations living near cemeteries?**

**Why and how do most of the microorganisms produced during the purification process, not appear in the groundwater beneath cemeteries?**

**Have you collected any existing regulations on cemetery siting and design from different countries to substantiate your claim that our neighborhood is a viable location for a cemetery?**

**What should be the desirable minimum thickness of the unsaturated zone beneath cemeteries?**

**Shouldn't new cemeteries or expansions be properly assessed from a geoscientific perspective prior to detailed design planning?**

Dr. Dent, a world renowned hydrologist and engineering geologist, who was referenced in HMP 2008 DEIS, claims that **"Almost nothing is known of decomposition in the tropical environment. Another area lacking in research."** He was referenced again in 2018 DEIS (4-105), The study's initial results indicate **decay products are measurable and could impact the environment.**

HMP states that seals would **limit** seepage and associated decay products into the surrounding environment.

**How long, on an average, will a concrete burial vault last underground?**

**How efficient are casket and burial vault seals near water sources and under harsh environmental conditions?**

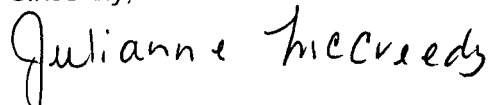
**How long do rubber gaskets prevent seepage from exploding caskets due to the accumulated gases and fluids of the decomposing bodies?**

**How do you propose to deal with Differential Settlement of the memorial markers?**  
This already happens so frequently at the Veteran's Cemetery.

**Please clarify** how 30,000 burial plots full of concrete vaults, toxic chemicals from caskets full of varnishes, sealers, preservatives, metal handles /ornaments and embalmed bodies with mercury from dental fillings, pacemakers, esophageal tubes and a host of medical products would be beneficial for our neighborhood and the surrounding environment. (*Disabled World - Cemeteries : Environmental Pollution and Groundwater Contamination, Rev. 2017-05-04*)**At what environmental cost can you justify the deforestation, grading and filling in of a healthy watershed region?**

**I am opposed to the proposed cemetery expansion due to the significant environmental impacts that will result from the deforestation, grading and filling in of valuable conservation land.** Although the acreage for the expansion has decreased, Hawaiian Memorial Park's **siting for their expansion location seems inappropriate and does not reflect a desire to be good stewards** of Hawaii's limited Land. The proposed expansion also **does not portray HMP as a considerate neighbor** who is concerned about potential safety and health risks to our community, Kawa Watershed Region and the receiving coastal waters of Kaneohe Bay.

Sincerely,



Julianne McCreedy  
45-423 Ohaha Street  
Kaneohe, Hawaii. 96744



March 29, 2019

Ms. Julianne McCreedy  
45-423 Ohaha Street  
Kāneʻohe, HI 96744

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Ms. McCreedy:

Thank you for your October 20, 2018 letter providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses under numbered subheadings corresponding to your comments.

- HMP is applying for a District Boundary Amendment under the guise that cemeteries are considered green, open space. But, in actuality, Hawaiian Memorial Park is far from that. There are significant reasons why cemeteries should not be allowed in conservation districts.*

Response: The Petitioner's request to the State Land Use Commission for this project is to reclassify the Petition Area from the Conservation to Urban District as discussed in the DEIS. A cemetery is not permitted within the Conservation District, thus, the petition proposes to reclassify the site to the Urban District. The project is fully disclosed and discussed in Chapter 2 of the DEIS, and there is no "guise" or appearance concealing the true nature of the proposed project. Your characterization of "green, open space" more appropriately refers to a description of the elements associated with the proposed project, as cemeteries are typically comprised of landscaped lawns (green) and reflect open space to accommodate burial plots for families.
- We call our cemeteries parks and lawns and fields and greens. Yet the American Graveyard hardly qualifies as a natural environment. For all their landscaping aboveground, our cemeteries function less as verdant resting grounds of the dead than as landfills for the materials that infuse and encase them.*

Response: Your statement on what cemeteries are called better reflects a description of the characteristics associated with cemeteries. The description of the cemetery expansion is not being called or proposed as a "park" or being a "natural environment." Section 2.2 discusses the project in detail and provides a thorough description of activities and uses. We disagree with your opinion inappropriately characterizing cemeteries as "landfills" for materials used for the disposition of family members. Section 2.2.3 of the DEIS discusses the burial process and disposition of persons, which complies with State regulations.

3. *Little Research has focused on the potential environmental consequences of depositing such large quantities of hazardous substances into cemetery grounds. Furthermore, no one is systematically testing cemetery groundwaters for formaldehyde pollution in the United States. EPA regulates it as a hazardous waste. (Harris, M., Grave Matters, page 38).*

Response: The DEIS (Section 2.2.3) addressed the disposition of persons in the cemetery and explains that casketed remains must be placed within a concrete outer burial container (burial container). It should be clarified that the more appropriate term should be “container” instead of “vault.” This burial container limits transmission of seepage and associated decay products into the surrounding environment. We disagree with your opinion and inappropriate characterization of persons disposed within the cemetery as being “large quantities of hazardous substances.” Furthermore, with increasing disposition of persons trending toward cremation, your concerns with hazardous materials would be further reduced.

A water quality study performed tested water samples for formaldehyde and determined this chemical was not detected in any of these samples, as discussed in Section 3.8.1. Therefore, there is no formaldehyde pollution occurring due to HMP and the Veterans Cemetery. Therefore, systematic testing for the presence of this compound is not warranted or required. Section 4.8.1 addressed hazardous materials, and determined that existing research concludes formaldehyde poses minimal environmental concerns should seepage containing formaldehyde migrate into nearby groundwater. Formaldehyde released through decomposition of an embalmed corpse would eventually degrade into methane under anaerobic conditions found within a burial container. Any formaldehyde that escapes the burial container would degrade comparatively faster in aerobic conditions of the sub-terrestrial environment.

4. *The 1998 World Health Organization (WHO) documented THE IMPACT OF CEMETERIES ON THE ENVIRONMENT AND PUBLIC HEALTH. The findings of research from Australia, Brazil, Europe and South Africa note that most existing cemeteries were sited without thought given to potential risks to the local environment and community.*

Response: It should be noted that the sources for the results you note are from other countries, some third world developing countries, that have different regulations and burial requirements and procedures from that within the U.S. and here in Hawai'i. Compliance with State regulations for cemeteries ensures that burials are properly treated minimizing potential risks to the environment. As discussed in Section 2.2.3, placed within a concrete outer burial container reduces potential concerns. Furthermore, the high percentage of cremations and the increasing trend toward cremation, as discussed in Section 2.1, would further reduce environmental issues. It should be noted that several of the questions you provided come from suggested topic questions for future research from that WHO study (conclusion section). The WHO study, out of the Regional Office for Europe, was based upon information from foreign countries.

5. *Please comment on the following questions that WHO presented:*

a. *What are safe distances between aquifers in various geological and hydrogeological situations?*

Response: Section 3.6 discusses groundwater conditions and is based upon a groundwater study prepared for this DEIS (Appendix H) that determined the entire Petition Area overlies caldera-filling volcanics that are virtually impermeable. Therefore, cemetery use of the area does not have the potential to impact ongoing or possible future uses of groundwater drawn from the permeable Ko'olau volcanics of the Ko'olaupoko Aquifer System. Burial plots would be excavated at most to a depth of 9 feet as discussed in Section 2.2.3. Treatment would comply with State regulations, therefore, this excavation would have no impact on the aquifer and no "safe" distance needs to be determined. It should also be noted that the aquifer beneath the proposed project is not exploited for domestic use, and is outside the Board of Water Supply's "No-Pass" zone.

b. *Have there been any recorded disease outbreaks or epidemics caused by microorganisms seeping from cemeteries?*

Response: There are no known or recorded disease outbreaks or epidemics caused by microorganisms seeping from HMP. The process used for disposition in compliance with State regulations would further ensure such outbreaks would not occur from the cemetery expansion. As already discussed, a higher percentage of disposition would consist of cremations that further minimize such issues from occurring.

c. *What is the epidemiological evidence for populations living near cemeteries?*

Response: As previously discussed above, there are no incidents or epidemiological evidence issues associated with HMP cemetery on surrounding populations. No above ground epidemic issues would be associated with HMP because only memorialization features are present on the ground. No subsurface epidemic issues would also occur because casketed remains must be placed within a concrete outer burial container, and Section 3.8.1 discussed that no formaldehyde pollution occurs due to HMP.

d. *Why and how do most of the microorganisms produced during the purification process, not appear in the groundwater beneath cemeteries?*

Response: As discussed in Section 2.2.3, casketed remains must be placed within a burial container. This container limits transmission of seepage and associated decay products into the surrounding environment. Furthermore, with increasing disposition of persons trending toward cremation, such issues would be further reduced.

e. *Have you collected any existing regulations on cemetery siting and design from different countries to substantiate your claim that our neighborhood is a viable location for a cemetery?*

Response: Regulations associated with cemetery siting and design from different countries are not applicable to the State of Hawai'i because HMP needs to comply with local regulations and requirements. Therefore, collecting regulations from foreign countries is irrelevant to substantiate the need for utilizing the privately-owned hillside property for the cemetery expansion. HMP and the Hawai'i State Veterans Cemetery are already located within the Kāne'ōhe community, and are both popular and serve an important community function. Section 2.1.3 also discusses the appropriateness of the Petition Area.

f. *What should be the desirable minimum thickness of the unsaturated zone beneath cemeteries?*

Response: As already explained under responses No. 5.a. to 5.d., there is no desirable minimum thickness of unsaturated zone needed or required for this project. The expanded cemetery would comply with State regulations concerning cemeteries.

g. *Shouldn't new cemeteries or expansions be properly assessed from a geoscientific perspective prior to detailed design planning?*

Response: The DEIS included twelve technical studies and assessments of the Petition Area's existing resources and project effects. Therefore, the proposed project has been properly assessed.

6. *Dr. Dent, a world renowned hydrologist and engineering geologist, who was referenced in HMP 2008 DEIS, claims that "Almost nothing is known of decomposition in the tropical environment. Another area lacking in research." He was referenced again in 2018 DEIS (4-105). The study's initial results indicate decay products are measurable and could impact the environment.*

Response: Section 4.8.1 of DEIS discussed cemetery-related hazardous substances which included information from a 2002 thesis paper by Dr. Dent who researched cemeteries in Australia. This section also included information from more current research documents, discussion of the Petition Area's groundwater characteristics, and present disposition procedures practiced at HMP (e.g. burial container).

7. *HMP states that seals would limit seepage and associated decay products into the surrounding environment. How long, on an average, will a concrete burial vault last underground?*

Response: It is not known exactly how long burial containers last. Currently, burials conducted as far back as 1958 (>60 years) are still intact based upon second interments in a burial plot or from a disinterment. The burial containers are reinforced with rebar to ensure integrity and strength. Therefore, it is reasonable that such burial containers could last over 100 years, as the Petitioner has seen burial containers intact in cemeteries that are 100 years old.

8. *How efficient are casket and burial vault seals near water sources and under harsh environmental conditions?*

Response: Concrete outer burial containers are not sealed, but consist of caskets that are either non-gasketed or gasketed. As discussed in the prior response, these caskets are built to ensure integrity and strength, have lasted over 100 years, and new models reflect improved design and construction that would only increase their durability. The cemetery expansion is not located near water sources, and is only subject to surface drainage flows that would be improved under the grading and drainage plans proposed. Harsh weather conditions would not affect such a burial container situated six to nine feet underground. There are no other harsh "environmental" conditions associated with the Petition Area that would affect underground burial containers.

9. *How long do rubber gaskets prevent seepage from exploding caskets due to the accumulated gases and fluids of the decomposing bodies?*

Response: It should be clarified that it would be the body that explodes, and not the casket. Nevertheless, the Petitioner has never experienced a situation involving an exploding casket, and such an event has never occurred at HMP. The Petitioner is also not aware of, or has even heard of, an occurrence involving a casket exploding within the State of Hawai'i related to either above-ground entombment or below-ground burial. Therefore, exploding caskets is not an issue that would affect the condition of burial containers including gaskets used.

10. *How do you propose to deal with Differential Settlement of the memorial markers? This already happens so frequently at the Veteran's Cemetery.*

Response: Cemeteries require outer burial containers to mitigate against burials from sinking. When a memorial is discovered that is uneven, it is generally reinstalled and leveled if the family request that to be done or has been noticed by the maintenance department. Endowment care cemeteries such as HMP have ongoing maintenance to correct these situations. Cemeteries that have serious sinkage issues are generally older cemeteries that did not require some type of burial container, and the casket may have consequently been crushed from the weight of the dirt or from tamping of the grave site after the interment was completed.

11. *Please clarify how 30,000 burial plots full of concrete vaults, toxic chemicals from caskets full of varnishes, sealers, preservatives, metal handles/ornaments and embalmed bodies with mercury from dental fillings, pacemakers, esophageal tubes and a host of medical products would be beneficial for our neighborhood and the surrounding environment. (Disabled World - Cemeteries: Environmental Pollution and Groundwater Contamination, Rev. 2017-05-04)*

Response: The purpose for the project is to increase the number of available burial plots to ensure the long-term needs of families can be adequately fulfilled and addressed given the increasing number of annual deaths and the limited number of cemetery spaces islandwide. Thus, the Petitioner's proposed use of privately-owned property for this project serves an island-wide need for families from O'ahu and the neighbor islands, and supports the heritage factor for families. As discussed in the DEIS, the project would not have an adverse effect on the surrounding environment or adjacent neighborhood. Drainage plans would improve existing drainage conditions, water quality, erosion, etc. along with reducing potential flooding thereby having a positive effect on the neighboring community. Disposition procedures comply with State regulations, and would prevent your concerns about hazardous materials from burials. The trend toward increasing cremation would also reduce hazardous materials concerns that are associated with casket burials.

12. *At what environmental cost can you justify the deforestation, grading and filling in of a healthy watershed region?*

Response: As discussed in Section 3.3 of the DEIS, the botanical study (Appendix E) determined the existing Petition Area consists of an alien forest dominated by introduced (alien) plant species. The area has been disturbed historically, being previously used for pineapple cultivation and dairy farming activities. The present character of the site that is dominated by introduced plant species would change to open landscaping consisting mainly of turf and other landscaping plantings. However, this would not have an adverse effect on flora, and measures were proposed to use seeds or cuttings from extant indigenous and endemic plants as part of replanting efforts around the cemetery expansion or within the Cultural Preserve.

Section 2.2.2 describes that the proposed project's preliminary design would accommodate the 100-year storm event instead of the required 10-year storm event. Detention basins would reduce stormwater discharge volumes by an additional 3 percent for the 100-year storm event. Section 3.2.4 addresses the proposed project effects on flooding and explains that runoff velocity and volumes from the Petition Area would decrease due to the reduction in overall site slope as well as proposed drainage improvements. Installation of turf grass over the majority of the area used for cemetery space would slow the velocity of runoff and result in improved stormwater infiltration and decreased sediment transport. Therefore, the project would decrease current stormwater runoff generated from the Petition Area and reduce potential flooding of downstream properties.

This area is part of the watershed and does contribute to groundwater recharge from surface runoff as discussed in Sections 3.6 and 3.7. The proposed project would change topographic conditions and current drainage patterns within this watershed, but the watershed boundary does not change, nor would its function. Thus, the project would not adversely impact this watershed or its recharge capacity. The project would improve existing drainage conditions, increasing infiltration and groundwater recharge that benefits the watershed.

13. *I am opposed to the proposed cemetery expansion due to the significant environmental impacts that will result from the deforestation, grading and filling in of valuable conservation land. Although the acreage for the expansion has decreased, Hawaiian Memorial Park's siting for their expansion location seems inappropriate and does not reflect a desire to be good stewards of Hawaii's limited Land. The proposed expansion also does not portray HMP as a considerate neighbor who is concerned about potential safety and health risks to our community, Kawa Watershed Region and the receiving coastal waters of Kaneohe Bay.*

Response: We acknowledge your opposition to the project. The DEIS analysis demonstrates that the proposed project would not have significant adverse effects on the environment.

Improvements would provide benefits to the environment, serve an important community need and support cultural practices. The proposed project includes design methods and other measures to minimize and avoid effects. Prior responses address your concerns, and pertinent sections of the DEIS address project effects in greater detail.

We disagree that the siting for the expanded cemetery is inappropriate as you suggest. Section 2.1.3 discusses the appropriateness of the Petition Area in relation to the project's demonstrated need and objectives. The DEIS analysis demonstrates that this site is appropriate and proposed project plans would not adversely impact the environment.

The Petitioner's proposal reflects being a good steward of this privately-owned property. The conservation easement proposed would ensure remaining areas of the larger property would not be developed, and would be appropriately managed by the Hawai'ian Islands Land Trust. The Cultural Preserve would allow for cultural practices and the restoration, preservation, stewardship, management, and maintenance of cultural sites present within this area. These actions reflect beneficial actions by the Petitioner to be a good steward of their property along with being sensitive to concerns by the surrounding community. There are no health risks to surrounding communities from an expanded cemetery, as discussed in prior responses and addressed in pertinent sections of the DEIS.

Finally, Section 3.8 of the DEIS addresses water quality and current conditions contributing to pollutant loads affecting Kāwā Stream that eventually discharge into Kāne'ōhe Bay. Kāne'ōhe Bay's current water quality is affected by larger factors besides Kāwā Stream because the bay receives discharges from the larger Kāne'ōhe district and other urban developments. As discussed in Section



3.8.2, the proposed project would have a beneficial effect on water quality and the stream because grading and drainage improvements would decrease existing steep grades within the site, reduce the volume and velocity of runoff, and improve opportunities for water to infiltrate instead of discharging. Turf grass would slow the flow of site runoff, improving ground infiltration and reducing runoff volumes. Detention basins capturing and treating runoff generated from the cemetery would be designed for a 100-year frequency, one-hour duration storm event significantly reducing sediment and nutrient loads by treating the first flush of runoff from high-intensity rainfall events. These improvements would have a positive beneficial effect on the stream and bay.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,

A handwritten signature in black ink that reads "Scott Ezer". The signature is written in a cursive style with a large, stylized "S" and "E".

Scott Ezer  
Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.



Rich McCreedy  
45-423 Ohaha St  
Kaneohe, HI. 96744

10/21/2018

HHF Planners

RE: Hawaiian Memorial Park Expansion. DEIS

Dear Mr. Sato,

I have some comments and questions that I will number to help you in your responses.

1. In table 2.7 Maximum Estimate of Existing Remaining and Proposed New Burial Space:

The estimate for Valley of The Temples Memorial Park cites 55,700 total Available and Proposed Combined Burial Plots, Crypts, and Niche Spaces. What was the source of that number? What assumptions were made and how variable is that number in the future?

Valley of The Temples on their web site states "With More than 40 acres of land yet to be developed, Valley of the Temples will be able to serve the island of Oahu for generations to come". A generation is typically considered to be a span of 25 to 30 years.

2. RE: Chapter 2-8 Projected Number of Disposition by Cremation and Table 2.6 Projected Net Demand for Burial Spaces:

What assumptions were made predicting the percentage of people in Hawaii choosing to be cremated from present to the year 2040? In table 2.5 the cremation rate in Hawaii is listed as 72%. Data from the NDFA (National Funeral Directors Assoc) predicts in Hawaii Cremations will rise to 2020...75.4% 2025...79.2 % and 2030...84.1%. Could you list what percentages you used ?

As people's preferences change because of the high price of traditional burials and the desire to protect the environment, these numbers could change even faster in favor of cremation. There are multiple ads on Craig's list and in the Star Advertiser offer to sell burial plots. Many of these people bought plots long ago, and now would rather sell them than use them.

The DEIS states HMP has approximately 79,000 individual plots and 41,000 existing burials. Subtracting those numbers it would appear that HMP has room for 38,000 potential burials in the future. In 2-8. Pre-Purchased Burials Spaces, the on-hold category, is about 25,000 plots. In 2.1.21 the unsold plots of 6% (about 4,500 plots) added together is 29,500 plots. How do account for the difference of 8,500 plots?

Have you ever sent letters and asked people that own on-hold plots if they would like to sell them? To show a more accurate analysis of the true number of plots available, could you make a supplemental figure to Figure 2.1 that would show the on-hold and un sold plots?

### 3. RE: 2.1.2.2 Inventory of Other Cemeteries Available

Oahu Cemetery is a small cemetery and is an interesting study in what cemeteries can do to help families as a cemetery starts to run out of space. I recently had a family member cremated at their facility and was able to ask questions and get a price sheet which is publicly available. Their policy is to allow as many as 20 urns of cremated remains in a concrete vault designed for urns that can be buried in a plot. I have included a copy of the price sheet. On page 3 a No.1 concrete urn vault (holds up to 20 urns).

There is a charge to add additional urns to the vault as it becomes necessary, but this is an example of how on Oahu a cemetery is already helping families to be placed together in a way that uses land efficiently.

In contrast HMP only allows a maximum of 4 urns per plot. Is the HMP policy a decision that Jay Morford can make, or is that a policy that SCI management controls?

If HMP were to allow existing plots, on-hold plots, and unsold plots in their existing 80 acres to be used on a model like Oahu Cemetery, there would be no need to risk the environmental impacts to the proposed expansion area.

I am opposed to the HMP cemetery expansion. I think the available space at HMP, Valley of The Temples, and other parts of the island if needed, should be utilized first before a steep hillside in Kaneohe is graded for additional cemetery space.



Rich McCreedy



2162 Nuuanu Avenue, Honolulu, Hawaii 96817 Tel: (808) 538-1538  
www.oahucemetery.org

### General Price List

PRICES EFFECTIVE MAY 1, 2018. BUT THEREAFTER, SUBJECT TO CHANGE WITHOUT NOTICE. ALL PRICES  
SUBJECT TO HAWAII STATE TAX (4.712%)

### Chapel & Cemetery Services

**Memorial Service in Chapel (only)** **\$795**  
*Our charge for this service includes: Four hour use of chapel for memorial ceremony, staff assistance, use of sound/audio visual equipment, \*beverage service, and skirted banquet tables. (This does not include optional merchandise such as casket, urn or memorial products.) Note: Additional mandatory Funeral Director Fee of \$200 charged by Oahu Mortuary & Funeral Inc. Total Cost is \$995.*

**One Hour Chapel Rental for viewing (only)** **\$295**  
*Our charge for this service includes: One hour use of chapel for memorial viewing, staff assistance, use of sound/audio visual equipment. (This does not include optional merchandise such as casket, urn or memorial products.) Note: Additional mandatory Funeral Director Fee of \$100 charged by Oahu Mortuary & Funeral Inc. Total Cost is \$395.*

**One-Half Hour Chapel Rental for viewing (only)** **\$175**  
*Our charge for this service includes: One-half hour use of chapel for memorial viewing, staff assistance, use of sound/audio visual equipment. (This does not include optional merchandise such as casket, urn or memorial products.) Note: Additional mandatory Funeral Director Fee of \$50 charged by Oahu Mortuary & Funeral Inc. Total Cost is \$225.*

**Lanai only - Week Day (Rate per hour)** **\$250**  
**Lanai only – Weekend/Evening (Rate per hour)** **\$350**

\* Beverage Service for 75 persons includes: Three skirted banquet tables, coffee, juice and water

### Mausoleum & Columbarium Services

**Mausoleum Ceremony (Crypt)** **\$500**  
*Our charge for this service includes: (30 minute) crypt side ceremony, opening/closing. (It does not include casket, outer burial container, or memorial products.)*

**Columbarium Ceremony (Niche)** **\$350**  
*Our charge for this service includes: (30 minute) niche side ceremony, cremation opening/closing. (It does not include urn or memorial products.)*

All Prices are subject to change without notice, 2018

## Itemized Services

<u>Opening and Closing</u>	
Single Body Burial	\$1,950
Double Burial	\$2,950
Outside Cemetery (No double burials outside cemetery)	\$2,400
 Canopy and (12) chairs, Lowering Device	 \$475
Overtime after 4:00pm weekdays, and after 12:00pm Saturdays, for each additional hour or fraction thereof (when additional labor is required to remove rock or other objects, extra fees will be made according to time and equipment to complete the job)	\$150
 <u>Interment/Oahu Cemetery</u>	
Opening and Closing (Urn Plots)	\$775
Canopy and Chairs	\$375
Each additional urn at the same time	\$85
Overtime after 4:00pm weekdays, and after 12:00pm Saturdays, For each additional hour or fraction thereof	\$150
Opening and Closing (Columbarium Niche)	\$350
Opening and Closing (Mausoleum Crypt)	\$750
 <u>Disinterment/Body Burial</u>	
Oahu Cemetery	\$2,200
Outside Cemetery	\$2,950
If interred less than 5 years	\$3,400
 <u>Interment/Disinterment</u>	
Opening and Closing (at Oahu Cemetery)	\$775
Opening and Closing (Outside cemetery) (Taxable)	\$975
Opening and Closing (HAKA – outside cemetery) (Taxable)	\$400
 <u>Miscellaneous Services</u>	
Handling of decomposed remains (per hour)	\$400
Retrieval and encasement of disinterred remains	\$400
Pacemaker/medical device removal (required prior to cremation)	\$150
Extended Storage of deceased (per day in excess of 168 hours/7 days)	\$75

*All Prices are subject to change without notice, 2018*

Cemetery Merchandise

Tombstones	\$150-\$350
(Setting Fee, removing and resetting of tombstones for interment, inurnment, or Disinurnment)	
Concrete Base	\$400
Granite repainting (white, black, or gold) (not gold leaf)	\$250
Refurbish and repaint complete stone	\$400
<i>Vault</i> ← No. 2 concrete urn vault (W16xH24xD8) (holds up to 4 urns)	\$650
No. 1 concrete urn vault (W24xH24xD28) (holds up to <del>24</del> <sup>20</sup> urns)	\$975
Flower Vases	\$200 - \$695
Inscription of current existing stone (Outside Cemetery Taxable)	\$875
Cremation Containers	\$355

Burial Plots, Urn Plots, Crypts and Niches (complete list available)

Burial Plots	\$10,000- \$15,000
Urn Plots	\$3,500 - \$4,750
Crypts floor level	\$8,000
2 <sup>nd</sup> & 3 <sup>rd</sup> levels	\$10,000
4 <sup>th</sup> level	\$6,000

2 Urn Niche

First five levels	\$2,750
Sixth level	\$2,400
Seventh level	\$1,950
Eighth level	\$1,850

4 Urn Niche

First and Sixth Levels	\$3,250
Second, Third, Fourth and Fifth Levels	\$3,750

Glass Niche

1 or 2 Urns	\$3,000 - \$4,900
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Crypt Inscription	\$975
Niche Inscription (Bronze Plaque)	\$695
Doric Vases (Hammered or Plain Edge Styles)	\$750
F306 Bronze Flower Vase with Holder (niche)	\$695
9ES Zinc Vase (HSVC cemetery) (Taxable)	\$250
8BP Zinc Vase (cemetery)	\$200
Vase Inscription	\$75
Senko Box	\$35

*875. VARIES*

*All Prices are subject to change without notice, 2018*

*Request Pre-Planning Guide >*

## Experience the Difference

Nestled in the foothills of the breathtaking Koʻolau Mountains on the lush windward side of Oʻahu, Valley of the Temples Memorial Park is considered one of the most beautiful parks in the world. With more than 40 acres land yet to be developed, Valley of the Temples will be able to serve the island of Oahu for generations to come at one of the most picturesque places on the island.

Diversity is not only accommodated here, it is treasured. Designated gardens honor many religious and cultural traditions, from the Catholic Garden of the Holy Cross to Chinese and Japanese gardens to others created for specific groups including veterans and native Hawaiians.

At Valley of the Temples, we understand that losing someone you love is one of life's most difficult experiences, and that's why it's so important to us that our clients feel like an extension of our own family. Our incredible team of professionals have many years of experience, and as we comfort families in times of loss, we work tirelessly to ensure they're all treated with compassion and respect.

[Experience our virtual tour](#)



## News



### New Mortuary Opening Soon

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### Honoring our American Heroes

At Valley of the Temples, we believe in honoring the veterans and first responders who are our true American heroes. We provide a veteran's tribute funeral package that truly honors the life lived and service rendered — and we're also proud to offer American Hero discounts that help alleviate the financial burden on families at a difficult time in their lives. Available to law officers, firefighters, military group members and

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## Recent Obituaries



John "Junie"

## Upcoming Events

*Begins*

24

Ongoing Vendor Events  
& Exhibits - October





March 29, 2019

Mr. Rich McCreedy  
45-423 Ohaha Street  
Kāneʻohe, HI 96744

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Mr. McCreedy:

Thank you for your October 21, 2018 letter providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses under numbered subheadings corresponding to your comments.

1. *In table 2.7 Maximum Estimate of Existing Remaining and Proposed New Burial Space: The estimate for Valley of The Temples Memorial Park cites 55,700 total Available and Proposed Combined Burial Plots, Crypts, and Niche Spaces.*
  - a. *What was the source of that number?*

Response: The source for that number in Table 2.7 is from the market study conducted by CBRE, Inc. as discussed in Section 2.1, and included in Appendix B of the DEIS.
  - b. *What assumptions were made and how variable is that number in the future?*

Response: The estimate for Valley of the Temples was based upon CBRE's research of available information and their evaluation of that cemetery. The actual number developed may vary subject to that cemetery's design and other operational considerations. However, the estimate developed is reasonable, and appropriate for evaluating future market conditions.
  - c. *Valley of The Temples on their web site states "With More than 40 acres of land yet to be developed, Valley of the Temples will be able to serve the island of Oahu for generations to come". A generation is typically considered to be a span of 25 to 30 years.*

Response: Generations are typically characterized to have spans of about 15 to 18 years (e.g. Baby Boomers, Generation X) and not 25 to 30 years. It should be noted that information on their website states that they have land "yet to be developed." Development costs are significant, and it is not clear when they would actually develop additional cemetery space and if so, in what phases. The market study took Valley of the Temple's potential expansion into account, as reflected in Table 2.7.

2. *RE: Chapter 2-8 Projected Number of Disposition by Cremation and Table 2.6 Projected Net Demand for Burial Spaces: What assumptions were made predicting the percentage of people in Hawaii choosing to be cremated from present to the year 2040? In table 2.5 the cremation rate in Hawaii is listed as 72%. Data from the NDFA (National Funeral Directors Assoc) predicts in Hawaii Cremations will rise to 2020...75.4% 2025...79.2% and 2030... 84.1%. Could you list what percentages you used?*

Response: Section 2.1.1 of the DEIS discusses the result from the market study explaining projected demand for interments, background on cremation in Hawai'i, and factors that influence further disposition decisions by family members. This section discusses the assumptions used in developing Scenario One and Two estimates shown in Table 2.6. This section discusses that Hawai'i has a higher rate of cremation due to the State's cultural background, and Table 2.5 showed methods of disposition reflecting these higher percentages. It should be clarified that Table 2.6 reflects the net demand for burial space created on O'ahu, and showed interred cremations ranging from 65% to 67% under the two scenarios. These totals do not reflect cremations that would be addressed by other methods (e.g. scattering, kept at home) which accounts for another 15% to 23%, and these would not require burial space and are thus not reflected in Table 2.6. Therefore, total cremations account for a higher percentage of disposition choices consistent with trends and Hawai'i's cultural background.
  
3. *As people's preferences change because of the high price of traditional burials and the desire to protect the environment, these numbers could change even faster in favor of cremation. There are multiple ads on Craig's list and in the Star Advertiser offer to sell burial plots. Many of these people bought plots long ago, and now would rather sell them than use them.*

Response: The projections developed and discussed in Section 2.1 are reasonable and appropriate for use in estimating future burial needs for O'ahu. The projections reflect an increasing and high percentage of cremation. Whether persons wish to sell their burial plots on Craigslist or in the newspaper is a personal or family decision that can be based upon a variety of factors, and HMP has no control over such actions. Nevertheless, the fact remains that there is a significant demand for burial plots in the future to accommodate Hawai'i's aging and growing population.
  
4. *The DEIS states HMP has approximately 79,000 individual plots and 41,000 existing burials. Subtracting those numbers it would appear that HMP has room for 38,000 potential burials in the future. In 2-8. Pre-Purchased Burials Spaces, the on-hold category, is about 25,000 plots. In 2.1.21 the unsold plots of 6% (about 4,500 plots) added together is 29,500 plots. How do account for the difference of 8,500 plots?*

Response: Section 2.1.2 explains that HMP has sold over 94% of their approximately 79,000 available burial plots. It should be noted that Section 2.1 states that HMP is the resting place for "over" 41,000 persons serving as a general background of HMPs importance to O'ahu's community as opposed to being a current inventory of burials. New burials regularly occur at HMP increasing the total number of persons buried there. The 25,000 "on-hold" plots similarly reflect a general estimate of the number of plots remaining to be absorbed. Therefore, differences of a few thousand plots in estimating conditions would have minimal effect with the overall market study results showing a considerable demand and need for future burial plots.

5. *Have you ever sent letters and asked people that own on-hold plots if they would like to sell them? To show a more accurate analysis of the true number of plots available, could you make a supplemental figure to Figure 2.1 that would show the on-hold and unsold plots?*

Response: It is inappropriate and insensitive for HMP to send out letters to family members owning a burial plot to inquire if they would like to sell it. The disposition and memorialization of persons is a personal and confidential family matter. A supplementing figure to Figure 2.1 showing on-hold and unsold plots is not necessary. The information discussed in Section 2.1 along with figures and exhibits are sufficient to discuss the purpose and need for the project.

6. *RE: 2.1.2.2 Inventory of Other Cemeteries Available. Oahu Cemetery is a small cemetery and is an interesting study in what cemeteries can do to help families as a cemetery starts to run out of space. I recently had a family member cremated at their facility and was able to ask questions and get a price sheet which is publicly available. Their policy is to allow as many as 20 urns of cremated remains in a concrete vault designed for urns that can be buried in a plot. I have included a copy of the price sheet. On page 3 a No.1 concrete urn vault (holds up to 20 urns). There is a charge to add additional urns to the vault as it becomes necessary, but this is an example of how on Oahu a cemetery is already helping families to be placed together in a way that uses land efficiently. In contrast HMP only allows a maximum of 4 urns per plot. Is the HMP policy a decision that Jay Morford can make, or is that a policy that SCI management controls?*

Response: O'ahu Cemetery was contacted regarding your comment, and it should be clarified that they only have a few casket burial spaces available that they are allowing families to place multiple inurnments. Holding up to 20 urns is also dependent upon the sizes of urns. O'ahu Cemetery's policy regarding use of remaining burial plots for inurnment reflects their operational accommodations likely driven by the fact that they have little or no space. However, placement of multiple urns within a burial plot would likely only serve those within that family that choose to be interred there. It is unlikely a family would allow persons from other non-related families to be interred within their family vault. The purpose for HMP's project is to accommodate families by providing options and flexibility to utilize caskets or urns for family members within a burial plot. The HMP practice of allowing up to four urns in a burial plot is a HMP management practice, and not a policy decision by their administration.

7. *If HMP were to allow existing plots, on-hold plots, and unsold plots in their existing 80 acres to be used on a model like Oahu Cemetery, there would be no need to risk the environmental impacts to the proposed expansion area.*

Response: The project would provide families with options regarding the disposition of family members, allowing them traditional burials or cremation. As discussed in Section 2.1, there is considerable demand projected for additional cemetery space well into the future, and the project would support the community's need. This project would not have significant adverse effects on the environment. As discussed in Section 3.8.2, the proposed project would have a beneficial effect on water quality and Kāwā Stream, because grading and drainage improvements would decrease existing steep grades within the site, reduce the volume and velocity of runoff, and improve opportunities for stormwater to infiltrate instead of discharging. Turf grass would slow the flow of site runoff, improving ground infiltration and reducing runoff volumes. Retention/detention basins capturing and treating runoff generated from the cemetery would be designed for a 100-year frequency, one-hour duration storm event significantly reducing sediment and nutrient loads by treating the first flush of runoff from high-intensity rainfall events. These improvements would have a positive beneficial effect on the watershed, stream, and Kāne'ōhe Bay.

8. *I am opposed to the HMP cemetery expansion. I think the available space at HMP, Valley of The Temples, and other parts of the island if needed, should be utilized first before a steep hillside in Kaneohe is graded for additional cemetery space.*

Response: We acknowledge your opposition to the proposed project. Grading activities proposed for the privately-owned hillside would not have a significant adverse effect on the environment as discussed in the DEIS. As responded to your comments, there are sufficient reasons for the cemetery expansion, and existing inventory would supplement needs to a certain extent, but additional space is necessary.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or [sezer@hhf.com](mailto:sezer@hhf.com).

Sincerely,

A handwritten signature in black ink that reads "Scott Ezer". The signature is written in a cursive, flowing style.

Scott Ezer  
Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.

Eric S. Nakagawa  
45-420 Ohaha St.  
Kaneohe, HI 96744  
Email: Nakagawae003@Hawaii.rr.com  
October 19, 2018

HHF Planners  
733 Bishop St., Suite 2590  
Honolulu, HI 96813

Reference: Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement dated 08/22/2018

Dear HHF Planners:

I am a 55 year Kaneohe resident and have enjoyed the beauty of the hillside involved in this proposed expansion of Hawaiian Memorial Park (HMP). The Draft Environmental Impact Statement (DEIS) generally depicts this proposed expansion as having little visual impact to our community. However, I strongly disagree. There will be obvious visual impact from parts of Kaneohe as well as the views you see when entering Kaneohe from Likelike and H-3.

I am still concerned with the potential effects of Kaneohe Bay, but my major concern remains with the potential flooding of residential property downhill from the proposed expansion site.

In reading of the latest version of the DEIS document, it is not clear to me that the document satisfactorily addresses the additional rainwater that will be redirected towards the Pikoiloa Subdivision when a portion of the hillside top is cut down. This action will result in forcing additional rainwater that would have naturally drained away from the subdivision, to now be directed towards our homes. See Attachment 1 which is an excerpt from the report.

In order to mitigate flooding conditions, the report frequently interchanges the language of the use of detention and retention/detention basins. May I point out to you that these are two very different methods of flood control. Detention basins will generally not have any standing water during drier periods, as they detain and drain water at a controlled rate. The retention/detention basins will have standing water (retention portion) and an "overflow" (detention portion) component to drain water at elevated water levels. The success of either method is highly dependent on good maintenance. In addition, standing water will create safety hazards and a conducive environment for mosquitos and the health hazards they cause, as an example, our recent Zika virus outbreak.

I do not favor the method of having standing ponds above our homes. For my piece of mind during any rain activity, my family and community's safety is depending



on the hope that as water levels rise, there is adequate drainage capacity and proper maintenance to prevent water from overflowing and flooding into our back yards. Worst yet, to have a catastrophic occurrence due to a failure of a containment wall. We often see how Mainland communities have levies that are designed to hold back storm water fail, or our very own Kaloko dam incident, causing loss of life. The DEIS indicates possible locations of three (3) retention/detention basins, but no means of draining the site to these basins except for a few sub-terrain drainage lines. See attachments 2 and 3.

There are many issues brought on by the use of detention and retention/detention basins. I have attached a document by Delaware Riverkeeper Network, a non-profit organization that works to protect the Delaware River Watershed, which identifies concerns of detention basins from various resources, stating hazards and concerns associated with detention basins (retention/detention basins would be similar). This document even identifies the August 2005 drowning lawsuit of a 5-year old girl in Pearl City that lost her life due to clogged drain pipes that caused the detention basin to flood (page 5, Headlines, paragraph 7). See Attachment 4.

I do acknowledge that the latest DEIS is surpassing the City and County of Honolulu's Drainage System Standards for a 10-year storm criteria for areas less than 100 acres. However, in our most recent rainfall brought on by storm system Olivia, the Honolulu Board of Water Supply had to bring in pumps as a proactive measure to keep the water level of the Nuuanu Reservoir #1 from breaching its banks. The DEIS does not address any action plan should we have an event that surpasses the 1 hour, 100-year storm that it is being designed for.

On behalf of the Pikoiloa community, please do the right thing and not gamble with our family's lives or our homes.

Sincerely,



Eric S. Nakagawa and Family

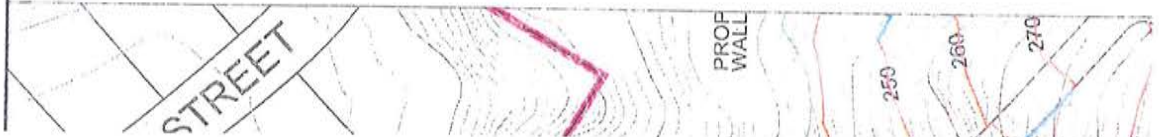
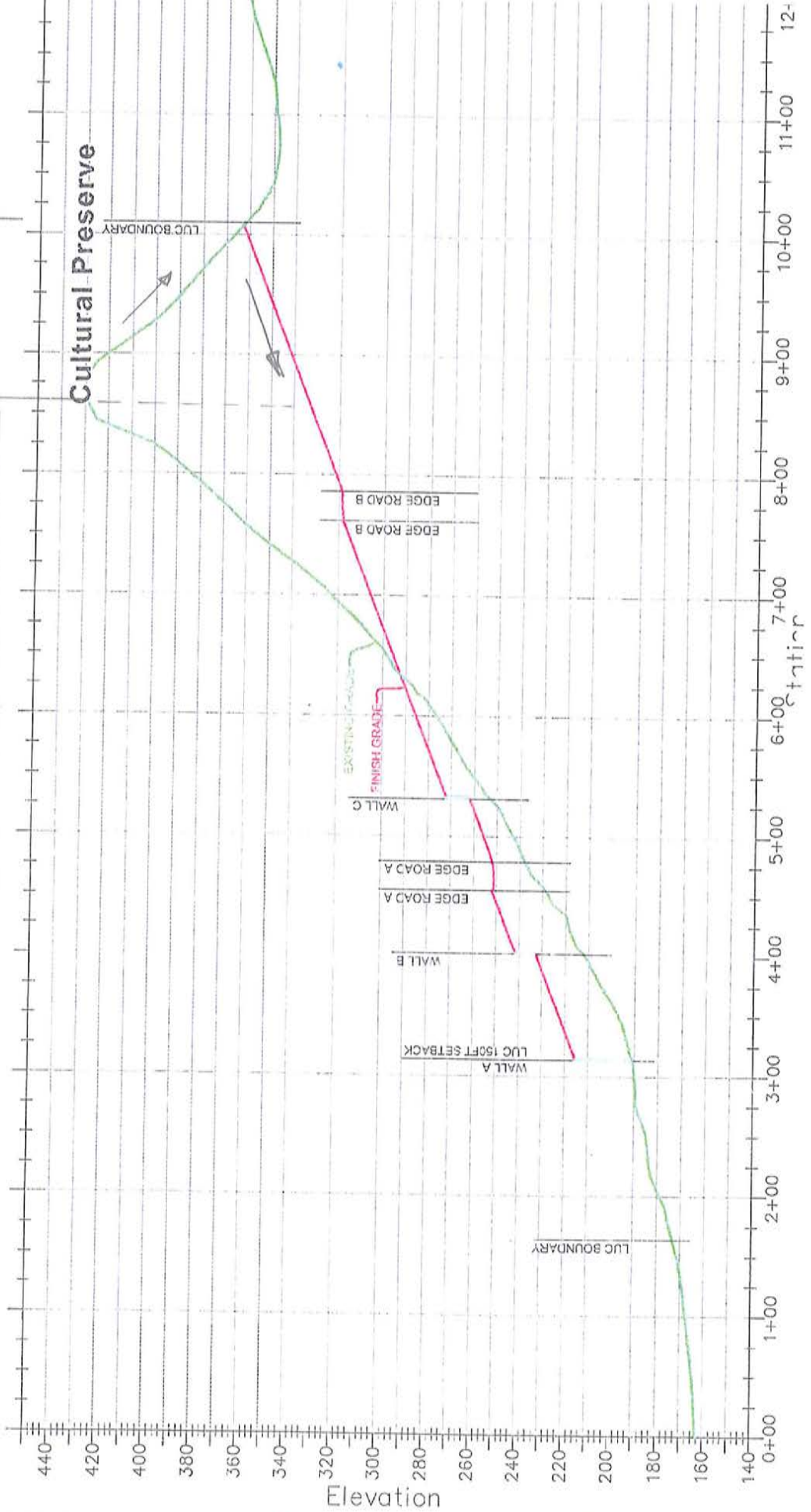
cc: Mr. Scott Derrickson  
State of Hawaii  
Land Use Commission, State of Hawaii  
Department of Business, Economic Development and Tourism



pgs 2-27 OF DEIS

THIS IS THE PORTION OF EXCAVATION WHERE RAIN WATER WOULD FLOW AWAY FROM SUBDIVISION. NOW IT WOULD FLOW TOWARDS THE SUBDIVISION

SECTION A PROFILE



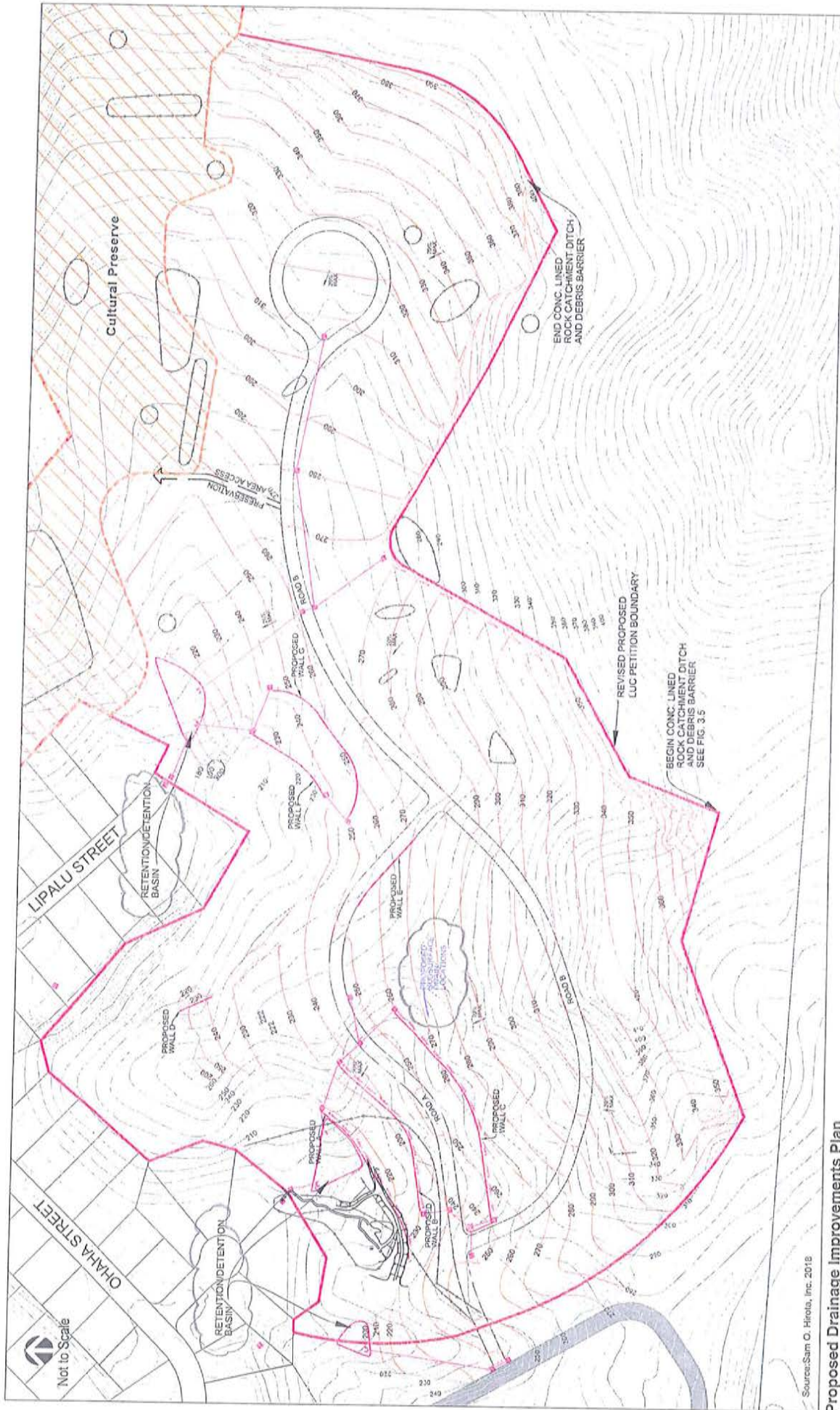


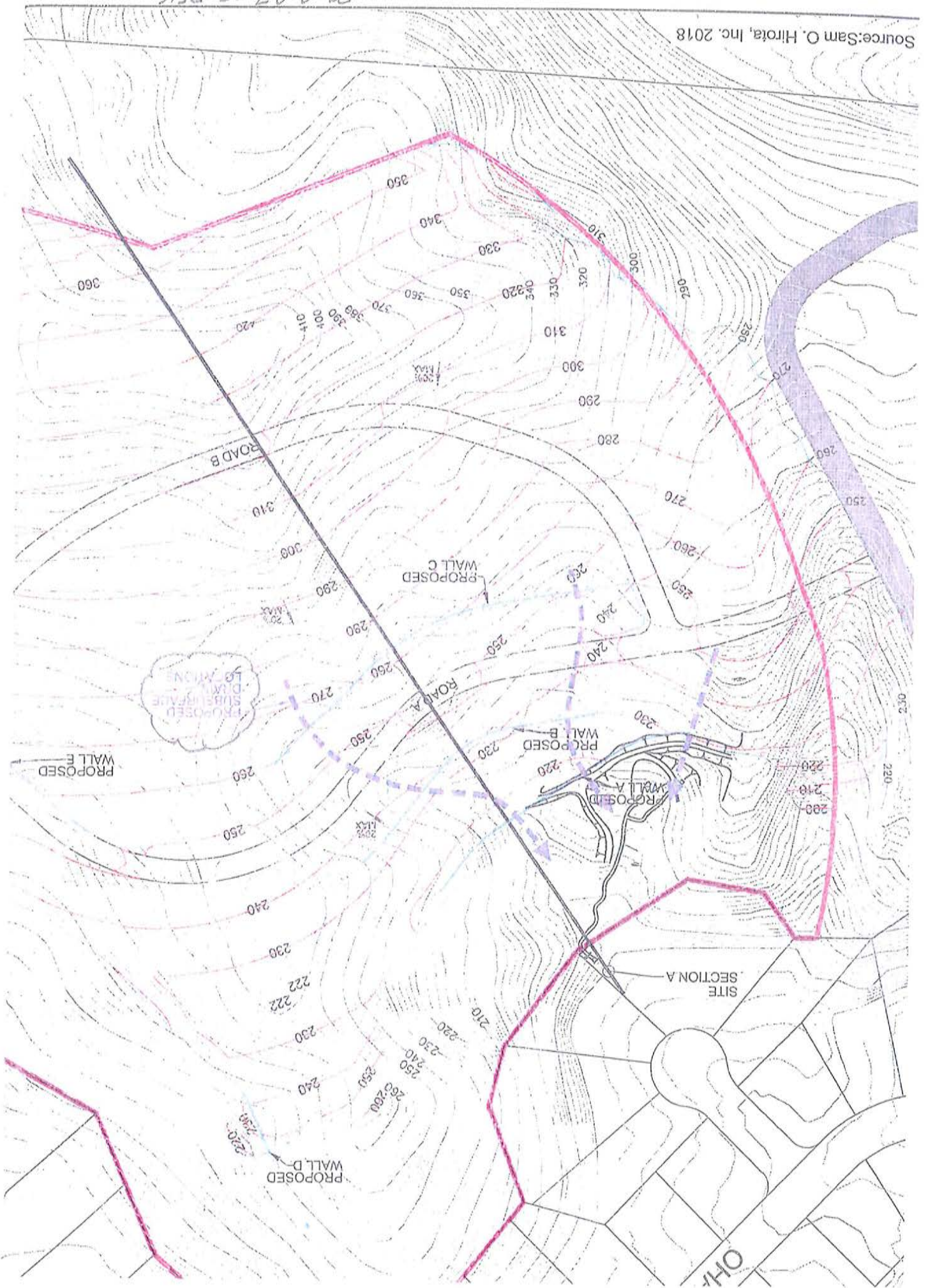
Figure 2.5

Source: Sam O. Holo, Inc. 2018  
**Proposed Drainage Improvements Plan**  
 Hawaiian Memorial Park Cemetery Expansion Project Draft Environmental Impact Statement  
 Kaneohe, Oahu, Hawaii

ATTACHMENT 2



ATTACHMENT 3







## Research Assessing the Safety Hazards Associated with Detention Basins

**Safety Hazards:** Detention basins pose multiple potential safety hazards including drowning, exposure to contaminated water, and increased exposure of adjacent community to mosquito transmitted diseases. Standards for the design of stormwater basins are primarily based on improving water quality, and few standards address the safety of civilian populations. Furthermore, the location of stormwater basins near high traffic areas (i.e. parks) leads the public to think it is an amenity, rather than a device treating polluted water and heightens the potential for injury.

1. Jones, J. E., Ben Urbonas, P. E., & Pittinger, R. (2012). Essential Safety Considerations for Urban Stormwater Retention and Detention Ponds. Stormwater Magazine.
  - a. Detention ponds can be installed adjacent to incompatible land uses, and therefore the location of stormwater facilities leads to high potential for human injury. Stormwater facilities are typically located near high trafficked areas, in residential neighborhoods, near schools or trails or playgrounds. The public is effectively invited to spend time near these facilities, and little is typically done to minimize obvious risks associated with these facilities because public safety is not a specific design objective. When facilities are located where children congregate, multiple layers of safety are necessary.
  - b. Hydraulic structures are designed and constructed in a manner that makes them hazardous. For example, steel bars on grates are not beveled, rounded, or covered, but have sharp ends. Bolts have jagged, exposed ends. Gaps between steel bars and concrete walls are too wide. Railings are either not used where they should be or are improperly designed.
  - c. Inflow and outflow pipes are quickly inundated and then not visible making them a safety hazard. For example, a dry pond in an office park had a rapid rise, and a child playing in the pond was apparently knocked down by jet flows from an inlet pipe, tumbled by vortex flows, and ultimately, dragged into an unprotected outlet pipe by suction forces.
  - d. Furthermore, racks put on the opening of pipes pose a danger to the public because they can impinge a person against them during high velocity flow. If the racks are too close to the outlet, a person can be knocked over by impulse forces and then sucked into or pinned against outlet structure.
  - e. Designers typically fail to recognize that events larger than the design event can and do occur. This makes the facilities inadequate when larger storms occur.

2. American Society of Civil Engineers et al. (2013). Guidance for Protection of Public Safety at Urban Stormwater Management Facilities. May 2013
  - a. Physical risk is due to the sharp edges, confined spaces, unreliable footing, slippery surfaces, uneven ground, and abrasive surfaces associated with stormwater facilities.
  - b. Stormwater runoff often has pollutants that can adversely affect public health, including bacteria, viruses, trash, diapers, hypodermic needles, and hazardous needles.
  - c. High-velocity and rapidly rising flow can be overwhelming to even adults let alone children. This is particularly hazardous where there are areas that double as pedestrian access and are subject to inundation.
  - d. People swept into long pipes could be trapped and submerged for minutes if not longer.
  - e. Erosion can occur in areas where pedestrian traffic is anticipated.
  - f. Earthen embankments or pond sides can fail upon overtopping or erode away over time.
  - g. Threats to public safety include potential harm to maintenance workers. For example, steep slopes are hazardous when using heavy equipment such as lawn mowers.
  - h. There is a lack of understanding about the hazards that these facilities pose. Although News coverage does increase public awareness, this heightened awareness is usually limited to the local area and is typically short-lived.
  
3. Hansen, J.J. (undated ). Hazard Assessment for Water Retention and Detention Ponds. Available at: <http://www.usfa.fema.gov/pdf/efop/efo45799.pdf>
  - a. Detention basins are constructed based on standards that are written primarily for improving water quality and not for the safety of civilian populations.
  - b. Risks and hazards associated with detention basins include drowning, exposure to contaminated water, and increased abundance of mosquito populations and associated disease vectors.
  - c. Drowning is the second leading cause of unintentional death according to the Center for Disease Control.
  - d. Ponds attract people and children and can be mistaken for a recreational body of water.
  - e. Children can crawl into pipes resulting in no way of escape. Furthermore, racks which reduce this risk can result in a person or child being pinned against the rack by the force of flowing water.
  - f. Steep slopes on one or more sides and fences aimed at keeping people out can become a barrier to rescue crews in an emergency.
  - g. Exposure to contaminated water is associated with several common illnesses (Gastrointestinal, infectious hepatitis or aseptic meningitis, leptospirosis, intestinal bacteria such as E.Coli Salmonella, shiggella, Hepatitis A Virus, typhoid, paratyphoid, and tetanus).
  - h. Ponds increase the potential for mosquito habitat, and therefore, increase the potential for exposure of adjacent community to West Nile Virus.
  
4. Guo, J. C., Jones, J. E., & Earles, A. (2010). Method of superimposition for suction force on trash rack. *Journal of Irrigation and Drainage Engineering*, 136(11), 781-785.
  - a. Urban flood flows are quick, concentrated, and fast. Therefore safety around storm facilities is a concern for the public.
  - b. A trash rack at a stormwater facility's outfall entrance can prevent a human body from being washed into the pipe, but it also increases the flow velocity resulting in pinning force on a human body if trapped in the basin.



5. Guo, J. C., & Jones, J. (2009). Pinning Force during Closure Process at Blocked Pipe Entrance. *Journal of irrigation and drainage engineering*, 136(2), 141-144. of a
  - a. During a storm, a trapped person will flow with water towards the outfall entrance. The flow force acting on a person can be pinning at first but eventually deadly.
  - b. It is difficult to quantify and design for this flow force.
  
6. Metzger, M. E. (2004). Managing mosquitoes in stormwater treatment devices. *Univ. Calif ANR Publ*, 8125(11).
  - a. Stormwater facilities often provide aquatic habitats suitable for mosquitoes and other vector species as an unintended consequence.
  - b. Mosquito management is critical to prevent disease transmission but is often overlooked.
  - c. Most stormwater facilities remain unsupervised for extended periods and therefore, mosquito breeding could occur unobserved and uncontrolled.
  - d. If not designed properly, mosquito control requires the use of pesticides which has additional potential health hazards.
  
7. Chaplin, N. (2003). Personal Injury Litigation as a Barrier to the Adoption of Sustainable Drainage Ponds—A Proposal for Legislative Reform.
  - a. Where there are a significant number of visitors, there is an increased risk of injury from stormwater ponds and an increased liability of civil litigation which seeks damages.
  - b. In certain climates, ice becomes an additional danger.
  - c. Blue green algae blooms from fertilizer runoff can produce toxic chemicals which pose a threat to wild and domestic animals and humans. Furthermore, a pool covered in algae may make the presence of water less apparent to a child.
  - d. Operators or owners of stormwater basins can face civil action were a person to drown or be injured. Even where there are warnings communicating dangers and basins are designed in accordance with the law, litigation can still be pursued against the owner.
  
8. Shinde, P.S. (2002). Multi-use of Stormwater Detention Ponds in Parks and Open Spaces. *MLA Thesis*, University of Georgia.
  - a. The outlet of a detention basin is designed to slow down flow, and therefore, is either a constricted culvert or narrow pipe. Large volumes of water exert a lot of pressure on narrow outlets leading to faster flow. However, broad open outlets are much safer than narrow outlets.
  
9. Ferguson, B. K. (1998). Introduction to stormwater: concept, purpose, design. John Wiley & Sons.
  - a. Detention basins functionally become a trap for people to fall into and drown.
  - b. Even if sloped correctly, a child can be trapped against a trash rack when there is excess water entering the culvert. For example, a 4 year old girl in State College, PA, slid down wet slippery grass and became trapped. Even two men who tried to pull her away failed due to the force of water, and she drowned.

**Fencing:** Fencing around a basin can itself become a hindrance for rescue personnel, impede escape, and limit maintenance.

1. Jones, J.E., et al. (2013). Public Safety at Stormwater Management Facilities. Water Environment Federation Stormwater Report.
  - a. Fences cannot be relied on exclusively for safety, and fencing has not proven to be an effective deterrent.
  - b. Many children or youth view climbing a fence as an exciting challenge.
  - c. Ponds surrounded by fences are not as well maintained and therefore, a greater safety hazard.
  - d. Fences block vision and impede emergency access, rescue attempts, and escape.
  - e. Fences can create more danger than they are intending to mitigate.
  
2. Liebl, D.S. (2006) Stormwater Detention Ponds Site Safety and Design. Solid and Hazardous Waste Education Center, University of Wisconsin- Extension.
  - a. "Generally, fencing should not be necessary if other appropriate design practices are used."
  - b. Although fencing may discourage toddlers, it can be viewed as a worthy and exciting challenge to some children and older youth.
  - c. Fences can hinder mowing and collect debris.
  - d. Fences can hamper rescue efforts.
  
3. Chaplin, N. (2003). Personal Injury Litigation as a Barrier to the Adoption of Sustainable Drainage Ponds—A Proposal for Legislative Reform.
  - a. Fences simply act as a challenge to be overcome.
  - b. Fences reduce safety by acting as a visual and physical barrier.
  - c. Even the most substantial fence is still scaleable.
  
4. Shinde, P.S. (2002). Multi-use of Stormwater Detention Ponds in Parks and Open Spaces. MLA Thesis, University of Georgia.
  - a. Fences are expensive to install and maintain.
  - b. Fences produce edges which increases grounds maintenance needs.
  - c. "Fencing of detention ponds should be discouraged wherever possible"

### Select Public Safety Incidents at Detention Basins: News Headlines

1. Action News Jasonville, December 24, 2014, Body found in retention pond in Northwest Jacksonville. Jacksonville, Florida
2. 1011 now, October 13, 2014, Authorities identified body found in Grand Island Pond (a Detention pond). Grand Island, Nebraska.
3. Twin Cities Pioneer Press, November 29, 2013, St. Louis Park Drowning accident spurs questions about retention ponds. St. Louis Park, Minnesota.
  - a. Mothers car went off the roadway, dropped down an embankment and into pond sinking into 9 feet of water and trapping her and five children in the car.
  - b. 2 children drown and the other 3 children were hospitalized.
4. Renton Reporter, June 28, 2012: Five-year-old Renton girl nearly drowns in detention pond; is fence the answer? Renton, Washington.
5. Loudoun Times, May 22, 2012, Missing Leesburg man drowns in drainage pond, Loudoun County, Virginia.
6. The Columbus Dispatch, May 10, 2007, Vigilance only line of defense at retention ponds, Columbus, Ohio
  - a. In 2007, 4-year-old girl drown in pond.
  - b. In 2004, 2-year-old boy drown in pond.
  - c. In 2002, 2-year-old boy was hospitalized after falling into a pond despite fence.
7. News Star Bulletin, August 24, 2005, \$2 million settles drowning lawsuit: Charlotte Schaefer, 5, died last year on military housing. Pearl City, Hawaii.
  - a. Due to clogged drainage pipe, detention pond flooded regularly.
  - b. In only 3 to 4 feet of water, 5-year-old girl drown while neighbors frantically searched in murky water.
8. New York Times, July 21, 1989. Our Towns; Only a Dry Field, But Other Boys could Drown in it, East Brunswick, New Jersey.
  - a. Field that doubles as a drainage basin turned into a lake.
  - b. Two boys, 15-years-old, were drawn into water and swept into 3-mile-long drainage pipe where they drown.
  - c. Suction of the vortex and the enclosure of the pipes allowed them no escape once they slipped down steep-sided basin.





March 29, 2019

Mr. Eric S. Nakagawa  
45-420 Ohaha Street  
Kāneʻohe, HI 96744

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Mr. Nakagawa:

Thank you for your undated letter emailed to us on October 22, 2018 providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses under numbered subheadings corresponding to your comments.

1. *I am a 55 year Kaneohe resident and have enjoyed the beauty of the hillside involved in this proposed expansion of Hawaiian Memorial Park (HMP). The Draft Environmental Impact Statement (DEIS) generally depicts this proposed expansion as having little visual impact to our community. However, I strongly disagree. There will be obvious visual impact from parts of Kaneohe as well as the views you see when entering Kaneohe from Likelike and H-3.*

Response: As discussed in Section 4.7.2 of the DEIS, the character of this privately-owned hillside property would change, but would still be compatible with the surrounding environment. The H-3 Freeway would only have limited views of the cemetery for a brief period. Views from Likelike Highway are blocked due to the extensive growth of trees and vegetation along the highway and tall grassed embankment before the Kahekili Highway off-ramp. Partial views of HMP and Hawaiʻi State Veterans Cemetery are only available for a few seconds after exiting the Wilson Tunnel. Consequently, this was not identified as an important scenic view, and views of the Petition Area would be even more difficult to see. The landscaped and open space character of the expanded cemetery would complement the existing HMP and Hawaiʻi State Veterans Cemetery already present within the backdrop of the larger Oneawa hillside. This change would not have an adverse effect on existing important public viewsheds or viewing locations. Such landscaped open space views and the character of the expanded cemetery are also similar to other existing nearby uses, including the Pali Golf Course and Koʻolau Golf Club. The Petition Area would continue to be obscured by mature trees associated with the vegetated buffer separating nearby residences.

2. *I am still concerned with the potential effects of Kaneohe Bay, but my major concern remains with the potential flooding of residential property downhill from the proposed expansion site.*

Response: Section 2.2.2 of the DEIS describes that the project's preliminary design would accommodate the 100-year storm event instead of the 10-year storm event which is the standard required by the City and County grading regulations. Detention basins would reduce the discharge volumes by an additional 3 percent for the 100-year storm event. Section 3.2.4 addresses the

project effects on flooding and explains that runoff velocity and volumes from the Petition Area would decrease due to the reduction in overall site slope as well as drainage improvements proposed. Installation of turf grass over the majority of the area used for cemetery space would also slow the velocity of runoff and result in improved stormwater infiltration and decreased sediment transport that would have beneficial effects on the bay. Therefore, the project would decrease current runoff generated from the Petition Area and reduce potential flooding of downstream properties.

3. *In reading of the latest version of the DEIS document, it is not clear to me that the document satisfactorily addresses the additional rainwater that will be redirected towards the Pikoiloa Subdivision when a portion of the hillside top is cut down. This action will result in forcing additional rain water that would have naturally drained away from the subdivision, to now be directed towards our homes. See Attachment 1 which is an excerpt from the report.*

Response: Section 5.3 addresses drainage conditions associated with the Petition Area based upon a preliminary engineering study. Figure 5.1 shows the larger drainage basin areas considered in that analysis. The area above (mauka) the hillside associated with your handwritten comments on Figure 2.4 continues to flow toward the existing HMP cemetery, and would not increase stormwater runoff toward the Pikoiloa subdivision.

4. *In order to mitigate flooding conditions, the report frequently interchanges the language of the use of detention and retention/detention basins. May I point out to you that these are two very different methods of flood control. Detention basins will generally not have any standing water during drier periods, as they detain and drain water at a controlled rate. The retention/detention basins will have standing water (retention portion) and an "overflow" (detention portion) component to drain water at elevated water levels. The success of either method is highly dependent on good maintenance. In addition, standing water will create safety hazards and a conducive environment for mosquitos and the health hazards they cause, as an example, our recent Zika virus outbreak.*

Response: We understand the difference between retention and detention basins. Section 2.2.2 has subsections describing detention basins. Under the City's updated grading regulations (August 2017), retention of stormwater is a requirement for projects with more than one acre of disturbance. This is why the basins have been designed for detention (for flood control) and retention (for stormwater quality). As discussed, detention basin outlets would be designed to allow complete drainage within 48 hours when full and 24 to 36 hours when half full. The detention basins would be properly maintained. HMP has maintenance staff working daily on the grounds. Checking this flood management infrastructure would be incorporated into their daily routine. Regarding mosquitos, it should be clarified that the existing wet alien forest with extensive tree canopy already harbors considerable mosquitos. The project detention basins would not create a health hazard, and the potential for Zika outbreaks would be reduced with the project because the alien forest presently supporting mosquitos would be replaced with open landscaped areas less suitable for mosquitos.

5. *I do not favor the method of having standing ponds above our homes. For my piece of mind during any rain activity, my family and community's safety is depending on the hope that as water levels rise, there is adequate drainage capacity and proper maintenance to prevent water from overflowing and flooding into our backyards. Worst yet, to have a catastrophic occurrence due to a failure of a containment wall. We often see how Mainland communities have levies that are designed to hold back storm water fail, or our very own Kaloko dam incident, causing loss of life. The DEIS indicates possible locations of three (3) retention/detention basins, but no means of draining the site to these basins except for a few sub-terrain drainage lines. See attachments 2 and 3.*

Response: The retention/detention basins are relatively small in size and are not categorized as "dams," such as the examples you provide. Detention basins are standard and agency accepted methods to address drainage conditions and would result in a significant improvement over current conditions as discussed in respective sections of the DEIS. Basins and the drainage system would be designed for the 100-year storm and reduce runoff velocity and volumes. City drainage requirements specifies no net increase in runoff with development. As discussed, basins would be designed with drainage outlets, and are not dams. This represents an improvement over existing conditions as the existing drainage swale system appears to be designed for only a 10-year storm. Detention basin walls are not anticipated to fail, and HMP would provide regular maintenance and inspection of their facilities to assure slope stability and clogging do not degrade the integrity of the basins. The Kaloko dam incident was a unique situation due to illegal filling and grading activities associated with the dam's spillway that are not relevant to this project. The sub-terrain drain lines are intended for different purposes associated with subsurface water as discussed in Section 2.2.2, and are not tied to the detention basins.

6. *There are many issues brought on by the use of detention and retention/detention basins. I have attached a document by Delaware Riverkeeper Network, a non-profit organization that works to protect the Delaware River Watershed, which identifies concerns of detention basins from various resources, stating hazards and concerns associated with detention basins (retention/detention basins would be similar). This document even identifies the August 2005 drowning lawsuit of a 5-year old girl in Pearl City that lost her life due to clogged drain pipes that caused the detention basin to flood (page 5, Headlines, paragraph 7). See Attachment 4.*

Response: Thank you for the information provided. However, as discussed in the prior response, detention basins proposed are required, standard, and accepted methods for addressing drainage. Plans would be appropriately designed and reviewed by jurisdictional agencies for approval. The property is privately owned and unauthorized access to certain areas would be restricted.

7. *I do acknowledge that the latest DEIS is surpassing the City and County of Honolulu's Drainage System Standards for a 10-year storm criteria for areas less than 100 acres. However, in our most recent rainfall brought on by storm system Olivia, the Honolulu Board of Water Supply had to bring in pumps as a proactive measure to keep the water level of the Nuuanu Reservoir #1 from breaching its banks. The DEIS does not address any action plan should we have an event that surpasses the 1 hour, 100-year storm that it is being designed for.*

Response: Section 2.2.2 of the DEIS discusses that the detention basins would be appropriately designed and outlets would allow for programmed discharge of stormwater. These basins are not dams such as the reservoir you note. The proposed project would significantly improve drainage conditions within the watershed area, and it is unreasonable to expect an action plan be developed for severe storm events greater than the 100-year storm. Such a plan is not required. The City does not have an action plan for their drainage systems to mitigate such severe storms or natural

hazards. Other developments are not required to have such plans, and residential subdivisions do not have such plans. Proper maintenance will maintain the proper functionality of this infrastructure.

8. *On behalf of the Pikoiloa community, please do the right thing and not gamble with our family's lives or our homes.*

Response: The project would not have adverse impacts to the environment significantly affecting the safety of the Piloiloa community based upon the results of the DEIS. As discussed in the DEIS, the project includes several design measures, minimization actions, etc. to ensure the project is constructed and operated in a reasonable and acceptable manner.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or [sezer@hhf.com](mailto:sezer@hhf.com).

Sincerely,

A handwritten signature in black ink that reads "Scott Ezer". The signature is written in a cursive, flowing style.

Scott Ezer  
Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.

## Ronald Sato

---

**From:** Pat Newalu <newalup001@hawaii.rr.com>  
**Sent:** Tuesday, October 23, 2018 4:12 PM  
**To:** Ronald Sato  
**Subject:** Hawaiian Memorial Park Expansion

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

To whine it may concern,

I am strongly in support of this project. We need space for our growing families. Hawaiian Memorial Park has taken time to accommodate and address the many concerns of the community. I wish that there were more businesses out there that would take the time to listen and make accommodations for the community. This is a good thing!

Thank you,  
Arthur Newalu

Sent from my iPhone

--

This message has been scanned for viruses and dangerous content by MailScanner, and is believed to be clean.



March 29, 2019

Mr. Arthur Newalu  
Newalup001@hawaii.rr.com

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Mr. Newalu:

Thank you for your October 23, 2018 email providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses to your comments (italicized).

*I am strongly in support of this project. We need space for our growing families. Hawaiian Memorial Park has taken time to accommodate and address the many concerns of the community. I wish that there were more businesses out there that would take the time to listen and make accommodations for the community. This is a good thing!*

Response: We appreciate your support of the project and agree that additional burial space is needed for families of our community. We acknowledge your assessment that Hawaiian Memorial Park has taken the time to accommodate and address the concerns community members have expressed about the project.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,

A handwritten signature in black ink that reads "Scott Ezer". The signature is fluid and cursive.

Scott Ezer, Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.

-----Original Message-----

From: Mary-Louise O'Brien [<mailto:mobrien7@hawaii.rr.com>]

Sent: Thursday, October 18, 2018 11:07 AM

To: DBEDT LUC <[dbedt.luc.web@hawaii.gov](mailto:dbedt.luc.web@hawaii.gov)>

Subject: Hawaii Memorial Park Expansion

October 18, 2018

This is in regard to Hawaii Memorial Park's request for expansion.

To allow any heavy equipment to do its work on the proposed Hawaii Memorial Park's expansion would be an environmental disaster.

The forest and the topography are important parts of the area that provide protection from extreme, potentially damaging runoff from the rain that falls in the area. Also it does a very efficient job of filtering the water to the important underground streams that flow eventually to the ocean. Without the filtering Kaneohe Bay would be even more stressed by dirty run off than it already is. Grass and paved areas and underground impediments would totally negate any positive work that is already being done completely naturally by the existing natural cover. Thus preventing expensive damage that would be done to homes and the surrounding area by unprotected runoff plus environmental damage to the Bay.

There is no sound argument for disturbing the hillside. It is part of a very important water discharging area that needs natural protection, which is the most effective and efficient method. Commercial expansion should be one of the least viable reasons to negate that. To allow Hawaii Memorial Park to implement their plan would be very irresponsible.

Mary Louise O'Brien  
44-686 Kahinani Place  
Kaneohe HI 96744







March 29, 2019

Ms. Mary Louise O'Brien  
44-686 Kahinani Place  
Kāne'ohe, HI 96744

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāne'ohe, O'ahu, Hawai'i

Dear Ms. O'Brien:

Thank you for your letter emailed to us on October 18, 2018 providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses under numbered subheadings corresponding to your comments.

- To allow any heavy equipment to do its work on the proposed Hawaii Memorial Park's expansion would be an environmental disaster.*

Response: The project would not be an "environmental disaster" based upon the analysis described in the DEIS that included technical studies and assessment of project effects. The proposed project would improve the watershed (Section 3.6) and surface water (Section 3.7) within the Petition Area by reducing runoff velocity, volumes, and erosion (Section 3.8).
- The forest and the topography are important parts of the area that provide protection from extreme, potentially damaging runoff from the rain that falls in the area. Also it does a very efficient job of filtering the water to the important underground streams that flow eventually to the ocean. Without the filtering Kaneohe Bay would be even more stressed by dirty run off than it already is. Grass and paved areas and underground impediments would totally negate any positive work that is already being done completely naturally by the existing natural cover. Thus preventing expensive damage that would be done to homes and the surrounding area by unprotected runoff plus environmental damage to the Bay.*

Response: As discussed in Section 3.3 of the DEIS, the botanical study performed determined that the existing Petition Area consists of a wet alien forest dominated by introduced (alien) plant species. The extensive tree canopy of this forest restricts underlying vegetation growth due to reduced sunlight resulting in many areas having bare soil, or limited groundcover, that contribute to erosion and eventual discharge of sediment into Kāne'ohe Bay (Section 3.8). Section 2.2.2 describes that the proposed project's preliminary design would accommodate the 100-year storm event instead of the required 10-year storm event. Detention basins would reduce discharge volumes by an additional 3 percent for the 100-year storm event. Section 3.2.4 addresses the proposed project effects on flooding and explains that runoff velocity and volumes from the Petition Area would decrease due to the reduction in overall slope as well as drainage improvements proposed. Installation of turf grass over the majority of the area used for cemetery

space would slow the velocity of runoff and result in improved stormwater infiltration and decreased sediment transport that would have beneficial effects on Kāne'ōhe Bay. Therefore, the project would decrease current stormwater runoff generated from the Petition Area and reduce potential flooding of downstream properties. As discussed in Section 3.8, the results from a water quality study demonstrates that the project would have an overall beneficial impact on water quality associated with Kāwā Stream and the eventual discharge point at Kāne'ōhe Bay. Based upon these improvements, this project would improve Kāwā Stream's water quality by reducing stormwater discharges and total suspended solids and nutrients discharged from within this watershed area.

3. *There is no sound argument for disturbing the hillside. It is part of a very important water discharging area that needs natural protection, which is the most effective and efficient method. Commercial expansion should be one of the least viable reasons to negate that. To allow Hawaii Memorial Park to implement their plan would be very irresponsible.*

Response: Section 2.1 of the DEIS discusses the need for this project on this privately-owned property. This section demonstrates there is considerable demand projected for additional cemetery space well into the future. The proposed project would provide families with options regarding the disposition of family members, allowing traditional burials or interment of cremains (cremated remains). As discussed in respective sections of the DEIS, this project would not have significant adverse effects on the environment. Prior responses address how the proposed project would not adversely impact the watershed, and improvements provide benefits to drainage and water quality. It should be clarified that the proposed project does not include commercial uses associated with a commercial development, such as shopping centers or office buildings. The expanded cemetery reflects a passive use of the property. The proposed Cultural Preserve would support native Hawaiian cultural practices, stewardship of that preserve, and restoration of historic sites. A conservation easement proposed over the entire larger property, to be managed by a land trust organization, would ensure no future development beyond that proposed under this project. The combined elements of this project reflect a responsible plan for the long-term management and stewardship of this property.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,



Scott Ezer  
Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.

## Ronald Sato

---

**From:** KATHLEEN O'MALLEY <tutukate808@gmail.com>  
**Sent:** Tuesday, October 23, 2018 10:38 AM  
**To:** Ronald Sato  
**Cc:** scott.a.derrickson@hawaii.gov  
**Subject:** Comment on DEIS Hawaiian Memorial Park Expansion Project

I am a resident on the mauka (cemetery) side of Ohaha Street, Kaneohe, whose family will be significantly impacted by the proposed expansion of Hawaiian Memorial Park. Given the magnitude of the project - nearly a half million cubic yards of dirt, rocks, and debris being removed and redistributed within the project area, the 150 foot "buffer" zone seems inadequate to address the concerns of noise, dust and debris, and the potential for rockfalls that we will have to contend with for a year and a half during the construction phase. In addition, I am extremely concerned that the proposed building of "detention/retention" basins, retaining walls, and the Roadway B in the western section, in addition to the significant excavation in this area, have the potential to decimate the endangered damselfly habitat which has been discovered in this area. Here are my specific comments/concerns:

1. On page ES-9 of the Executive Summary, the statement, "Construction noise would not be loud enough to cause hearing loss, but may affect the capacity of individuals to communicate with one another, requiring them to raise their voice" raises serious concerns about the impact of this project on the quality of life for Ohaha Street residents for an extended period of time (12-16 months projected.) Given these noise issues it would seem prudent to expand the buffer zone to reduce the anticipated noise levels on your neighbors.
2. You acknowledge that there will be air quality issues during the construction phase (12-16 months) and I understand that you will use mitigation measures but given the dust we already have in our area (I have to mop daily to keep my floors clean) the added project produced fugitive dust will be overwhelming to your nearest neighbors. Will you be compensating us for additional cleaning bills?
3. The DEIS describes the building of retention/detention basins to reduce storm water discharge volumes. My understanding is that detention basins are areas where excess storm water is stored or held temporarily and then slowly drains when water levels in the receiving channel recede. In contrast, a retention basin is designed to hold a permanent pool of water that fluctuates in response to precipitation and runoff. In Section 3.2.4 *Water Quality* of the DEIS, you describe "permanent retention detention basins" and define a retention detention basin as "a shallow man made impoundment intended to provide temporary storage of storm water runoff to allow particles to settle and detain the peak runoff. It has a shallow permanent pool and is designed to drain between storm events." My concern is that a "permanent pool" or "retention" basin has the potential to hold water for longer periods of time if not managed effectively. Standing water and the associated possible mosquito infestations are a significant health concern in our neighborhood since we are on the Windward side of the island. What assurances will you give that your company will effectively manage these retention detention basins so that we are not faced with mosquito born diseases in the future?
4. In your DEIS, you state that most of the excavation will occur in the western part of the proposed project area which is closest to Ohaha Place. The endangered damselfly habitat is located in this

area. I appreciate your acknowledgement that this habitat must be protected and the measures you propose. However, given the extensiveness of the proposed excavation in this area and the potential for human error, wouldn't it be prudent to adjust your plan to further minimize potential harm to an endangered Hawaiian endemic insect? For example, could proposed Road A be eliminated and proposed Road B be straightened to reduce the amount of construction in the area and thus reduce the potential impact on the damselfly habitat? Additionally, wouldn't increasing the "buffer zone" between the project area and your neighbors also be a mitigating measure?

Please know that we do appreciate your willingness to reduce the scope of your earlier proposed project which the LUC denied. However, in reading the DEIS, I believe there are still significant issues that are not adequately addressed as described above. If you truly want to be stewards of the land and a good neighbor, please consider these concerns that will affect your neighbors for a long time and adjust your proposal accordingly.

Sincerely,  
Kathleen A. O'Malley  
45-426 Ohaha Street

--

This message has been scanned for viruses and dangerous content by [MailScanner](#), and is believed to be clean.



March 29, 2019

Ms. Kathleen A. O'Malley  
45-426 Ohaha Street  
Kāne'ohe, HI 96744

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāne'ohe, O'ahu, Hawai'i

Dear Ms. O'Malley:

Thank you for your email on October 23, 2018 providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses under numbered subheadings corresponding to your comments.

1. *I am a resident on the mauka (cemetery) side of Ohaha Street, Kaneohe, whose family will be significantly impacted by the proposed expansion of Hawaiian Memorial Park. Given the magnitude of the project - nearly a half million cubic yards of dirt, rocks, and debris being removed and redistributed within the project area, the 150 foot "buffer" zone seems inadequate to address the concerns of noise, dust and debris, and the potential for rockfalls that we will have to contend with for a year and a half during the construction phase.*

Response: The project would not significantly impact homes below the Petition Area based upon the analysis in the DEIS that included twelve technical studies and assessment of project effects. The project would improve the watershed (Section 3.6) and surface waters (Section 3.7) within the Petition Area by reducing runoff velocity, volumes, and erosion, and improve water quality in Kāwā Stream and Kāne'ohe Bay (Section 3.8). The buffer area between your home and the cemetery expansion consists of a permanent vegetated buffer zone, and construction activities are not proposed within that area. The buffer area is extensive and adequate to mitigate proposed grading activities. Concerns with short-term construction related effects were discussed in Section 2.2.2 of the DEIS, and included several design measures and best management practices (BMPs) to address noise, fugitive dust, and runoff (debris). Rockfalls are not an issue in the area of your home based upon the results of a rockfall assessment study discussed in Section 3.2.6 and Appendix C of the DEIS.

2. *In addition, I am extremely concerned that the proposed building of "detention/retention" basins, retaining walls, and the Roadway B in the western section, in addition to the significant excavation in this area, have the potential to decimate the endangered damselfly habitat which has been discovered in this area.*

Response: Under the City's updated grading regulations (August 2017), retention of stormwater is a requirement for projects with more than one acre of disturbance. As a result, detention basins have been designed for detention (for flood control) and retention (for stormwater quality), and these

basins are discussed in Section 2.2.2. Retaining walls and Roadway B would not negatively impact your home. Roadway B is routed about 1,000 feet away from your property, and retaining walls are situated over 200 feet away.

Section 3.5 discusses the endangered damselfly and determined the proposed project should not significantly impact that species or its habitat. The area surrounding the existing seep would be preserved and various design measures discussed in Section 2.2.2 would ensure subsurface water continues to flow to the well that supplies water found in the seep. The study results from various experts (e.g. groundwater engineer, geotechnical engineer, entomologist) have combined to provide a comprehensive understanding of the damselfly habitat and allow for design measures to be incorporated into project plans to avoid affecting the species or its habitat.

3. *On page ES-9 of the Executive Summary, the statement, "Construction noise would not be loud enough to cause hearing loss, but may affect the capacity of individuals to communicate with one another, requiring them to raise their voice" raises serious concerns about the impact of this project on the quality of life for Ohaha Street residents for an extended period of time (12-16 months projected.) Given these noise issues it would seem prudent to expand the buffer zone to reduce the anticipated noise levels on your neighbors.*

Response: Regarding noise, as discussed in Section 4.5 of the DEIS, construction activities would inevitably generate noise volumes that would be audible at nearby residences. The actual sound levels experienced will vary during activities, and are a function of the distance from the noise source and sound attenuation (topography, vegetation, structures). Typical noise levels would vary between 80 to 90 dBA from 50 feet away, and decreases with distance (-6 dBA when doubling distance). Your home would be at least 200 feet away from the nearest construction activities resulting in a decrease of about 12 dBA (68 to 78 dBA). In comparison, present noise levels along Kamehameha Highway were estimated to be 70 dBA. In addition, the majority of grading activities would occur further away from your residence, further minimizing noise disturbances. Finally, State Department of Health noise regulations would be followed, and a noise permit would have additional restrictions. The buffer area proposed reflects a permanent existing vegetated buffer between the cemetery expansion and your property.

4. *You acknowledge that there will be air quality issues during the construction phase (12-16 months) and I understand that you will use mitigation measures but given the dust we already have in our area (I have to mop daily to keep my floors clean) the added project produced fugitive dust will be overwhelming to your nearest neighbors. Will you be compensating us for additional cleaning bills?*

Response: Fugitive dust could result from earth moving activities as discussed in Section 4.6.2. of the DEIS. To minimize such emissions, site grading must occur in phases of 5-acres or less in conformity with City and County grading requirements. The geotechnical analysis notes existing soils would be moist to wet given the high rainfall environment. Therefore, these soils should result in less potential for airborne transmission of dust compared to drier soils. A dust control plan would be prepared if air quality impacts are anticipated by the project contractor. Measures to control fugitive dust emissions may involve BMPs consisting of a watering program, use of windscreens, and temporary rock pavers for heavily traversed areas. We will monitor this situation, and encourage you to contact HMP if you believe fugitive dust reaches the interior of your home.

5. *The DEIS describes the building of retention/detention basins to reduce storm water discharge volumes. My understanding is that detention basins are areas where excess storm water is stored or held temporarily and then slowly drains when water levels in the receiving channel recede. In contrast, a retention basin is designed to hold a permanent pool of water that fluctuates in response to precipitation and runoff.*

Response: Detention basins are discussed and described in Section 2.2.2 of the DEIS. They are intended to detain and reduce the impacts of storm water runoff. These basins would not drain only when the "receiving channel recedes", but would allow for the continual slow release of runoff into discharge points associated with the City's existing drainage system (box culverts). Detention basin outlets would be designed to allow complete drainage within 48 hours when full and 24 to 36 hours when half full. These detention basins would be maintained in accordance with proper protocol and incorporated into HMP's maintenance operations.

6. *In Section 3.2.4 Water Quality of the DEIS, you describe "permanent retention detention basins" and define a retention detention basin as "a shallow man made impoundment intended to provide temporary storage of storm water runoff to allow particles to settle and detain the peak runoff. It has a shallow permanent pool and is designed to drain between storm events." My concern is that a "permanent pool" or "retention" basin has the potential to hold water for longer periods of time if not managed effectively. Standing water and the associated possible mosquito infestations are a significant health concern in our neighborhood since we are on the Windward side of the island. What assurances will you give that your company will effectively manage these retention detention basins so that we are not faced with mosquito born diseases in the future?*

Response: Under the City's updated grading regulations (August 2017), retention of stormwater is a requirement for projects with more than one acre of disturbance. This is why the basins have been designed for detention (for flood control) and retention (for stormwater quality). Detention basins are standard and agency accepted methods to address drainage conditions and would result in a significant improvement over current conditions as discussed in respective sections of the DEIS. Basins and the drainage system would be designed for the 100-year storm and reduce runoff velocity and volumes. These basins are designed to drain completely within designated time periods. Therefore, effects from mosquitos should not be an issue. It should be noted that the existing wet alien forest with extensive tree canopy already harbors extensive mosquito populations due to wet and damp conditions. Concerns with mosquitos would be significantly reduced with the project because this alien forest would be replaced with open drier landscaped grass areas less suitable for mosquito habitat.

7. *In your DEIS, you state that most of the excavation will occur in the western part of the proposed project area which is closest to Ohaha Place. The endangered damselfly habitat is located in this area. I appreciate your acknowledgement that this habitat must be protected and the measures you propose. However, given the extensiveness of the proposed excavation in this area and the potential for human error, wouldn't it be prudent to adjust your plan to further minimize potential harm to an endangered Hawaiian endemic insect? For example, could proposed Road A be eliminated and proposed Road B be straightened to reduce the amount of construction in the area and thus reduce the potential impact on the damselfly habitat? Additionally, wouldn't increasing the "buffer zone" between the project area and your neighbors also be a mitigating measure?*

Response: Section 3.5 of the DEIS discusses the damselfly and determined the proposed project should not significantly impact the species or its habitat. The area surrounding the seep that provides habitat for the damselfly would be preserved and various design measures discussed in

Section 2.2.2 would ensure subsurface water would continue to flow to the well, and later emerge from the seep. Further adjustments to the proposed plan are not necessary. In addition, developed design plans would be submitted to jurisdictional agencies for review and approval. Eliminating Road A is unnecessary based upon the results of the DEIS, and the proposed buffer area already serves as appropriate mitigation for adjacent neighbors.

8. *Please know that we do appreciate your willingness to reduce the scope of your earlier proposed project which the LUC denied. However, in reading the DEIS, I believe there are still significant issues that are not adequately addressed as described above. If you truly want to be stewards of the land and a good neighbor, please consider these concerns that will affect your neighbors for a long time and adjust your proposal accordingly.*

Response: We believe the DEIS adequately addresses all significant issues and impacts from the proposed project, and includes twelve technical studies along with considerable analysis. The Petitioner is being a good neighbor by modifying initial plans from 2008, and incorporating elements that are beneficial in minimizing effects and addressing prior concerns. The Cultural Preserve would support native Hawaiian cultural practices, stewardship, and management and restoration of cultural sites. A conservation easement proposed would cover the 156.5-acre property as discussed under Section 2.2.5, and prevent future development of the area. Current plans have gained the support of several organizations and individuals. The combined elements of this project reflect a responsible plan for the long-term management and stewardship of this property.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,



Scott Ezer  
Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.



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October 20, 2018

Ronald Sato, AICP Senior Associate  
HHF Planners  
733 Bishop Street Suite 2590  
Honolulu, Hawaii 96813

Subject: Hawaiian Memorial Park Expansion Project - DEIS Comment

This letter is being written in opposition to the Hawaiian Memorial Park Expansion project on 28 acres of preservation-zoned land adjacent to the existing Memorial Park in Kaneohe, Oahu.

As President of The Outdoor Circle, a lifetime resident of Kaneohe, and a licensed landscape architect in Hawaii for over 40 years, I am very familiar with this particular area, having lived on Mahinui Ridge for over 65 years. I am well-versed in dealing with the soil conditions and existing tree cover associated with this area. This particular site is the headwaters for Kawa Stream and is the water catchment basin for the Pikoilua area that leads to the south end of Kaneohe Bay and an existing fishpond.

The denuding of the existing forest cover, extensive re-grading of natural contours, and replacement of said tree cover with introduced lawn turf, would severely impact the water runoff rate and water quality entering Kawa Stream and side tributaries.

The addition of chemical fertilizers required to maintain the proposed turf cover and their leachate discharge into the offsite stream runoff could prove to be disastrous to the quality of aquatic life in the south end of Kaneohe Bay. Most of the existing Memorial Park does not drain towards the Bay and is instead drained toward the fresh water catchment lake at Hoomaluhia Botanical Garden. Unfortunately, all of the proposed 28 acre expansion area would be sloped towards the salt water and sensitive coral heads of Kaneohe Bay.

The potential for an accidental flood of muddy water during construction is extreme, even with the best of mitigating elements in place. Once an unfortunate "accident" happens there is no way to clean pollution from the surrounding neighborhood or the fragile marine environment of the Bay.

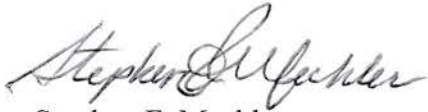
1314 S. King Street #306 | Honolulu, Hawai'i 96814

T: 808-593-0300 | F: 808-593-0525 | mail@outdoorcircle.org | www.outdoorcircle.org

Saying "I'm sorry and it won't happen again" isn't enough of a consolation for the irreparable damage that a development of this nature poses to the community and the environment. The property in question was placed in preservation for a reason, and it is our job, as stewards of that trust, to protect this legacy for future generations.

These are the reasons for our opposition to Hawaiian Memorial Park plans for a 28 acre expansion of their existing facility in Kaneohe, Oahu.

Sincerely,

A handwritten signature in cursive script, appearing to read "Stephen F. Mechler".

Stephen F. Mechler  
President, The Outdoor Circle



March 29, 2019

Mr. Stephen F. Mechler, President  
The Outdoor Circle  
1314 South King Street, #306  
Honolulu, HI 96814

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Mr. Mechler:

Thank you for your October 20, 2018 letter providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses under numbered subheadings corresponding to your comments.

- This letter is being written in opposition to the Hawaiian Memorial Park Expansion project on 28 acres of preservation-zoned land adjacent to the existing Memorial Park in Kaneohe, Oahu.*  
Response: We acknowledge the organization's opposition to the cemetery expansion component associated with the project.
- As President of The Outdoor Circle, a lifetime resident of Kaneohe, and a licensed landscape architect in Hawaii for over 40 years, I am very familiar with this particular area, having lived on Mahinui Ridge for over 65 years. I am well-versed in dealing with the soil conditions and existing tree cover associated with this area. This particular site is the headwaters for Kawa Stream and is the water catchment basin for the Pikoiloa area that leads to the south end of Kaneohe Bay and an existing fishpond.*  
Response: Section 3.7 of the DEIS addresses surface waters and it should be clarified that Kāwā Stream actually begins (headwaters) within the Hawaiʻi State Veterans Cemetery and not within the Petition Area. Other existing perennial tributaries then feed into the stream from the Veterans Cemetery and the existing HMP site. There are only ephemeral drainageways within the Petition Area that discharge into the City's drainage system which then discharge into Kāwā Stream.
- The denuding of the existing forest cover, extensive re-grading of natural contours, and replacement of said tree cover with introduced lawn turf, would severely impact the water runoff rate and water quality entering Kawa Stream and side tributaries.*  
Response: The project would not adversely impact the area watershed (Section 3.6 of the DEIS) or surface waters (Section 3.7 of the DEIS). Project improvements would actually increase stormwater infiltration, reduce runoff velocity and volumes, reduce erosion, and improve water quality (Section 3.8 of the DEIS). Section 2.2.2 describes the proposed project's preliminary design that would accommodate the 100-year storm event instead of the 10-year storm event. Detention basins

would reduce the discharge volumes by an additional 3 percent for the 100-year storm event. Section 3.2.4 addresses the project effects on flooding and explains that runoff velocity and volumes from the Petition Area would decrease due to the reduction in overall site slope as well as proposed drainage improvements. Installation of turf grass over the majority of the area used for cemetery space would slow the velocity of runoff and result in improved stormwater infiltration, decreased sediment transport, and improved stormwater recharge benefiting the watershed.

The extensive tree canopy of the present alien forest restricts underlying vegetation growth due to reduced sunlight, resulting in large areas of bare soil or limited groundcover that contribute to erosion and discharge of sediment into Kāneʻohe Bay (Section 3.8 of the DEIS). Kāneʻohe Bay's current water quality characteristics are due to factors other than Kāwā Stream, because the bay receives discharges from residential subdivisions, the larger Kāneʻohe district, and other surrounding urban developments. As discussed in Section 3.8.2, the proposed project would have a beneficial effect on stream water quality because grading and drainage improvements would decrease existing steep grades, reduce the volume and velocity of runoff, and improve opportunities for stormwater to infiltrate. Significantly reducing sediment and nutrient loads by managing the first flush of runoff from high-intensity rainfall events would have a positive beneficial effect on the stream and bay.

4. *The addition of chemical fertilizers required to maintain the proposed turf cover and their leachate discharge into the offsite stream runoff could prove to be disastrous to the quality of aquatic life in the south end of Kaneohe Bay. Most of the existing Memorial Park does not drain towards the Bay and is instead drained toward the fresh water catchment lake at Hoomaluhia Botanical Garden. Unfortunately, all of the proposed 28 acre expansion area would be sloped towards the salt water and sensitive coral heads of Kaneohe Bay.*

Response: The Petitioner indicated that the use of fertilizers are not necessary at HMP due to generally fertile soil conditions, supportive weather conditions, and lower maintenance needed for turf grass, as opposed to plant nurseries or agricultural farms that are more dependent upon fertilizers. Section 3.8 of the DEIS discusses water quality and addresses samples tested providing sufficient information on the levels of chemicals being discharged into Kāwā Stream. Existing residences below the Petition Area also contribute chemicals and other pollutants into the stream associated with stormwater runoff. Therefore, the project is not expected to have a significant impact on water quality from the maintenance of cemetery lawns. Section 3.8 of the DEIS addresses water quality effects in more detail. Section 3.7 discusses existing drainage conditions and basins using multiple reference sources that show existing HMP does not drain into the lake at Hoʻomaluhia Botanical Garden.

5. *The potential for an accidental flood of muddy water during construction is extreme, even with the best of mitigating elements in place. Once an unfortunate "accident" happens there is no way to clean pollution from the surrounding neighborhood or the fragile marine environment of the Bay. Saying "I'm sorry and it won't happen again" isn't enough of a consolation for the irreparable damage that a development of this nature poses to the community and the environment.*

Response: As discussed in Section 2.2.2 of the DEIS, several design measures and best management practices (BMPs) are proposed to address short-term construction activities and mitigate runoff effects. Retention basins are planned to detain runoff and sediment during construction activities. It is anticipated the main grading work for the project would be done in one phase, in maximum 5-acre increments, to minimize disruptions to adjacent residences. The actual BMPs would be

determined during project final design, which includes review of construction plans and obtaining necessary ministerial permits by jurisdictional agencies.

6. *The property in question was placed in preservation for a reason, and it is our job, as stewards of that trust, to protect this legacy for future generations. These are the reasons for our opposition to Hawaiian Memorial Park plans for a 28 acre expansion of their existing facility in Kaneohe, Oahu.*  
Response: The DEIS demonstrates that the proposed project would not be environmentally harmful, provides significant benefits to the environment, and includes design methods and other measures to minimize and avoid effects. The appropriateness of reclassifying the Petition Area's State Conservation District designation is discussed in Section 6.1.1, and it is noted these areas were previously designated for "Residential," "Low Density Apartment," and "Agricultural" uses. The property is within the Conservation District due to changes in the regulations as opposed to its natural resources or character. The City's 1964 Land Use Map (General Plan) originally designated this area for residential, low density apartment, and a portion for agricultural use. Under the initial creation of Conservation Districts, there were only two subzones consisting of General Use and Restricted Watershed. This property was included under General Use that allowed a wide variety of urban uses, such as resort and related residences, hotels, restaurants, and recreational facilities. The Petitioner is being a good neighbor by modifying initial plans from 2008, and incorporating elements that are beneficial in minimizing effects and addressing prior concerns. The Cultural Preserve would support native Hawaiian cultural practices, stewardship, and management and restoration of cultural sites. A proposed conservation easement would cover the 156.5-acre property as discussed in Section 2.2.5, and prevent future development of the area. Current plans have gained the support of several organizations and individuals. The combined elements of this project reflects a very responsible plan for the long-term management and stewardship of this property.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,



Scott Ezer  
Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.



**From:** [Winston Welch](#)  
**To:** [Derrickson, Scott A](#)  
**Cc:** [Winston Welch](#)  
**Subject:** The Outdoor Circle Statewide Office opposition to proposed expansion of Hawaiian Memorial Park Cemetery testimony--please confirm receipt  
**Date:** Friday, October 19, 2018 12:46:04 PM  
**Attachments:** [PastedGraphic-2.png](#)  
[Scott Derrickson Letter from TOC on Hawaiian Memorial Expansion Opposition.pdf](#)

---

Dear Mr Derrickson,

Please find a letter that indicates the opposition of the Statewide Outdoor Circle with respect to the proposed Hawaiian Memorial Park Cemetery expansion and reclassification of conservation lands.

May I ask that you kindly confirm receipt of this letter?

Thanks so much,

Winston

Winston Welch  
Executive Director

The Outdoor Circle  
1314 South King Street, Suite #306  
Honolulu, HI 96814  
808-593-0300  
[www.outdoorcircle.org](http://www.outdoorcircle.org)  
[winston@outdoorcircle.org](mailto:winston@outdoorcircle.org)





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Scott Derrickson,  
State of Hawaii  
Land Use Commission, DBEDT  
P.O. Box 2359  
Honolulu, HI 96804

October 18, 2018

Re: Statewide Outdoor Circle Opposition to Hawaiian Memorial Park  
Expansion project

Dear Mr Derrickson,

The Statewide Office of The Outdoor Circle wishes to express our opposition to the proposed expansion of the Hawaiian Memorial Park and reclassification of conservation lands being proposed. We do not feel that such a reclassification would be good state stewardship of the lands nor do we believe that such a reclassification would be consistent with the Hawaii State Constitution to "conserve and protect" Hawaii's natural resources. We would therefore ask that you maintain the existing classification of the lands.

We have an official statement from our board opposing the expansion that is still in effect from May of 2011 (and listed below) when a similar expansion was proposed, but the reasons are numerous because of the detrimental effects it would have on the environment, loss of beauty, and conservation land zoned for protection.

Affecting the entire ahupua'a from the ridge to the shore, neighborhoods, the Kawa Stream, Kaneohe Bay and its fish ponds, we would reject this proposal on many grounds.

The resultant destruction of native plant and animal ecosystems, destruction of a scenic landscape for Kailua, increase in potential flooding caused by loss of vegetation and existing plants and loss of critical watershed elements of the Kawa Stream and an under-capacity of retention ponds are all significant reasons for our opposition to this plan. The proposal would also most probably lead to impact of increased run-off to Kaneohe Bay and resultant contamination of waters there. In addition, the use of pesticides, fertilizers, and herbicides on the grounds will lead to environmental degradation and contamination, especially of concern to area residents in Piloiloa.



The Outdoor Circle Board has the following position to the project that remains in effect today:

## **Resolution of the Board of Directors of The Outdoor Circle**

**Whereas:** Hawaii is a small state with limited land on each island, and

**Whereas:** The Outdoor Circle's mission is to keep Hawaii "clean, green, and beautiful," and

**Whereas:** In order to protect portions of the islands, certain "qualified lands" have been designated for protection by the State and/or its counties, and

**Whereas:** These "qualified lands" are identified by Hawaii state and county governments with terms such as "Conservation," "Prime Agricultural," "Park," "Preservation" and Open Space, and

**Whereas:** Land owners or their representatives periodically petition the State Land Use Commission to convert these "qualified lands" from agricultural, conservation or similar uses to other classifications with more intensive land use that could lead to urban sprawl, and

**Whereas:** Conversion of "qualified lands" to more intensive uses can lead to the deterioration or destruction of those lands and thereby detract from Hawaii's natural and scenic beauty, and

**Whereas:** The Hawaii State Constitution, Art. XI, Sec. 1, provides: "For the benefit of present and future generations, the State and its political subdivisions shall conserve and protect Hawaii's natural beauty and all natural resources, including land, water, air, minerals and energy sources, and shall promote the development and utilization of these resources in a manner consistent with their conservation and in furtherance of the self-sufficiency of the State,"

**Now therefore** be it resolved that The Outdoor Circle shall support efforts to sustain existing "qualified land" classifications and their currently designated acceptable uses in Hawaii, except as otherwise directed by the Board of Directors.

As approved by The Outdoor Circle Board of Directors at its May 2011 Board Meeting.

\_\_\_\_\_.

The Outdoor Circle would also strongly refute the findings of the DEIS that says there would be no effect on air quality, erosion, etc. This is not only common sense, but a basic understanding of land management and science that when an area is deforested and a natural canopy and environment is destroyed as proposed, these results are certain and lead to detrimental effects such as those listed above.

Other cemeteries on Oahu, like Punchbowl and Diamond Head Cemeteries, have also run out of ground land space and have addressed the problem by building low columbarium mounds. As a society, we also need to be more realistic about the supply of land being limited, and the use of open land for in-ground burials is no longer feasible in urban areas, especially when those lands are being proposed to be reclassified from important conservation lands.

From a public policy viewpoint and the many reason mentioned in this letter, there is not a compelling public interest case for expansion in light of taking of very important conservation lands.

We ask that you reject a reclassification of these conservation lands and keep them as is for all residents in perpetuity as they have been intended to be.

Respectfully submitted,

A handwritten signature in black ink that reads "Winston Welch". The signature is fluid and cursive, with the first name "Winston" and last name "Welch" clearly distinguishable.

Winston Welch  
Executive Director



March 29, 2019

Mr. Winston Welch, Executive Director  
The Outdoor Circle  
1314 South King Street, #306  
Honolulu, HI 96814

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Mr. Welch:

Thank you for your October 18, 2018 letter sent to the State Land Use Commission providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses under numbered subheadings corresponding to your comments.

1. *The Statewide Office of The Outdoor Circle wishes to express our opposition to the proposed expansion of the Hawaiian Memorial Park and reclassification of conservation lands being proposed. We do not feel that such a reclassification would be good state stewardship of the lands nor do we believe that such a reclassification would be consistent with the Hawaii State Constitution to "conserve and protect" Hawaii's natural resources. We would therefore ask that you maintain the existing classification of the lands.*

Response: We acknowledge your opposition to the cemetery expansion component associated with the project.

We disagree with your statement that the reclassification would not be good stewardship of the privately-owned property. The Petitioner is being a good neighbor by modifying initial plans from 2008, and incorporating elements that are beneficial to minimize effects and address prior concerns. The Cultural Preserve would support native Hawaiian cultural practices, stewardship, and management and restoration of cultural sites. A conservation easement proposed would cover the 156.5-acre property, as discussed in Section 2.2.5 of the DEIS, and prevent future development of the property. Current plans have gained the support of several organizations and individuals. The combined elements of this project reflect a responsible plan for the long-term management and stewardship of this property.

As discussed in Chapter 6 of the DEIS, the project would be consistent with applicable State and County land use plans and policies.

Furthermore, the expansion of the HMP cemetery has been incorporated into the City's *Koʻolau Poko Sustainable Communities Plan* by adoption of Ordinance 17-42 by the Honolulu City Council in 2017. The proposed project is now consistent with the City's Sustainable Communities Plan that designates this area for urban expansion as part of the Community Growth Boundary. The information included in the DEIS shows that the proposed project would be compatible with the environment, not result in significant adverse impacts, and includes design concepts and other

measures to minimize and avoid effects. Project plans fully support the Hawai'i State Constitution by conserving and protecting natural resources associated with this privately-owned property within development plans for the benefit of present and future generations as already discussed (e.g. conservation easement). The project addresses an important need for the State and community as discussed in Section 2.1, and would not place excessive demands upon the environment and the State's resources. Drainage improvements proposed and installation of turf grass over the majority of the area used for cemetery space would slow the velocity of runoff and result in improved stormwater infiltration, decreased sediment transport, and improved infiltration and groundwater recharge benefiting surface waters and the watershed. The Cultural Preserve would support native Hawaiian cultural practices (Article XII of the State Constitution), and restore historic sites along with management and stewardship of these resources.

2. *We have an official statement from our board opposing the expansion that is still in effect from May of 2011 (and listed below) when a similar expansion was proposed, but the reasons are numerous because of the detrimental effects it would have on the environment, loss of beauty, and conservation land zoned for protection.*

Response: We believe the organization's 2011 position, did not thoroughly consider the information discussing the current project and environmental effects that are included in the project's current DEIS. As discussed in Section 1.2 of this DEIS, the Petitioner has had several meetings over the years with the Kāne'ōhe Neighborhood Board, community members, and government agencies to address concerns associated with previous plans. Present project plans have since been revised as reflected in Section 2.2 of the DEIS. The proposed expansion of the HMP cemetery has been incorporated in the City's updated *Ko'olau Poko Sustainable Communities Plan*. Therefore, prior concerns have been addressed and mitigated. The proposed project includes several changes providing substantial benefits to the community, such as establishing the Cultural Preserve and conservation easement. Additional responses are provided below addressing the 2011 Board Resolution.

3. *Affecting the entire ahupua'a from the ridge to the shore, neighborhoods, the Kawa Stream, Kaneohe Bay and its fish ponds, we would reject this proposal on many grounds. The resultant destruction of native plant and animal ecosystems, destruction of a scenic landscape for Kailua, increase in potential flooding caused by loss of vegetation and existing plants and loss of critical watershed elements of the Kawa Stream and an under-capacity of retention ponds are all significant reasons for our opposition to this plan.*

Response: The project would not adversely impact the various resources and ahupua'a as you suggest based upon the results of studies and assessments discussed in pertinent sections of the DEIS. The project would: improve the watershed (Section 3.6) and surface waters (Section 3.7) within the Petition Area; improve water quality (Section 3.8) by increasing infiltration, reducing runoff velocity, volumes, and erosion; and reduce downstream flooding, all of which benefit Kāne'ōhe Bay and the ahupua'a. We disagree with your suggestion that detention ponds are under capacity. Section 2.2.2 describes that the project's preliminary design would accommodate the 100-year storm event instead of the City required 10-year storm event. Detention basins planned would reduce discharge volumes by an additional 3 percent for the 100-year storm event, and improve current drainage conditions within this watershed as discussed in Section 3.7. Sections of the DEIS in Chapter 3 address the proposed project's effect on the natural features associated with the privately-owned property, and include design measures to minimize and mitigate effects. The

proposed project would not adversely impact the surrounding neighborhood as discussed in Chapter 4.

As discussed in Section 3.3 of the DEIS, the botanical study determined that the existing Petition Area consists of a wet alien forest dominated by introduced (alien) plant species. The extensive tree canopy of this forest restricts underlying vegetation growth due to reduced sunlight. As a result many areas have bare soil or limited groundcover which contributes to erosion and discharge of sediment into Kāneʻohe Bay related to stormwater runoff (Section 3.8). The proposed project is not expected to adversely impact endangered or threatened fauna as discussed in Section 3.4, because the majority of species present are alien.

As discussed in Section 4.7.2, the character of this privately-owned hillside would change, but would still be compatible with the surrounding environment. The landscaped and open space character of the expanded cemetery would complement the existing HMP and Hawaiʻi State Veterans Cemetery, within the backdrop of the larger Oneawa hillside. This change would not have an adverse effect on existing important public viewsheds and viewing locations. Such landscaped open space views and character of the expanded cemetery are similar to other existing nearby uses consisting of the Pali Golf Course and Koʻolau Golf Club. The Petition Area would continue to be obscured by mature trees associated with the vegetated buffer separating nearby residences. The Petition Area is also not located within the Kailua community and not visible from significant public viewing points in Kailua.

4. *The proposal would also most probably lead to impact of increased run-off to Kaneohe Bay and resultant contamination of waters there. In addition, the use of pesticides, fertilizers, and herbicides on the grounds will lead to environmental degradation and contamination, especially of concern to area residents in Piloiloa.*

Response: The previous response explained how the proposed project would improve the watershed (Section 3.6), surface waters (Section 3.7), and subsequently improve water quality (Section 3.8) by increasing infiltration, reducing runoff velocity, volumes, and erosion, and reduce downstream flooding.

HMP maintenance staff occasionally use the herbicide Roundup (glyphosate) to address spot areas needing treatment. The Petitioner indicated such use is infrequent due to the generally wet weather in Kāneʻohe, and nature of HMP cemetery (landscaped lawn). Fertilizers are not necessary due to the generally fertile conditions, supportive weather conditions, and lower maintenance needed for turf grass, as opposed to golf courses that are more dependent upon fertilizers. In addition, pesticides are not used by maintenance staff for HMP's cemetery according to the Petitioner. Section 3.8 of the DEIS discusses water quality and addresses samples tested providing sufficient information on the levels of pesticides being discharged into Kāwā Stream. It should be noted that the test results suggest that the input of glyphosate into Kāwā Stream from the Veterans Cemetery and HMP's cemetery is broadly similar to the input of glyphosate from the lower residential communities that discharge runoff and pollutants into the stream. Therefore, maintenance of the expanded cemetery lawn would not lead to environmental degradation and contamination as you suggest.

5. *The Outdoor Circle Board has the following position to the project that remains in effect today: Resolution of the Board of Directors of The Outdoor Circle; approved at its May 2011 Board Meeting.*

Response: The organization's 2011 Resolution on this project, which you state remains in effect, did not thoroughly consider the information discussing the present project and environmental effects

that are included in the DEIS. As stated in a prior response, the Petitioner has had several meetings since 2011 with the Kāneʻohe Neighborhood Board, community members and organizations, and government agencies to address concerns associated with previous plans.

The appropriateness of reclassifying the Petition Area's State Conservation District designation, which the Resolution identifies as "qualified lands" is discussed in Section 6.1.1, and it is noted these areas were previously designated for "Residential," "Low Density Apartment," and "Agricultural" uses. The property is within the Conservation District due to changes in the regulations as opposed to its natural resources or character. The City's 1964 land use map originally designated this area for residential, low density apartment, and a portion for agricultural use.

Under the initial creation of Conservation Districts, there were only two subzones consisting of General Use and Restricted Watershed.

The DEIS results demonstrate that the proposed project would not be environmentally harmful, provides significant benefits to the environment, and includes design methods and other measures to minimize and avoid detrimental effects. The proposed project's plans fully support the Hawai'i State Constitution by conserving and protecting natural and cultural resources associated with this property for the benefit of present and future generations.

6. *The Outdoor Circle would also strongly refute the findings of the DEIS that says there would be no effect on air quality, erosion, etc. This is not only common sense, but a basic understanding of land management and science that when an area is deforested and a natural canopy and environment is destroyed as proposed, these results are certain and lead to detrimental effects such as those listed above.*

Response: It needs to be clarified that the DEIS (Section 4.6.2) does not state there would "be no effect" on air quality. That section states that the main effects on air quality would be from short-term construction activities as compared to the long-term activities occurring within the cemetery expansion. The only source of potential long-term effects on regional air quality would be CO from localized traffic congestion at the HMP driveway intersections. Mitigative measures were identified addressing short-term construction related effects. Section 3.1.2 (soils/erosion) discusses that a substantial amount of grading activities would occur to construct the cemetery expansion that would result in a significant change and impact on existing soils and rock material present. Several mitigative measures and best management practices were identified to address both short- and long-term effects from the project. Therefore, we disagree with the incorrect assertion of the DEIS findings not having "common sense" or a "basic understanding of land management and science." It should also be clarified that the DEIS included the results of twelve technical studies conducted by firms and individuals with expertise in their respective disciplines.

7. *Other cemeteries on Oahu, like Punchbowl and Diamond Head Cemeteries, have also run out of ground land space and have addressed the problem by building low columbarium mounds. As a society, we also need to be more realistic about the supply of land being limited, and the use of open land for in-ground burials is no longer feasible in urban areas, especially when those lands are being proposed to be reclassified from important conservation lands.*

Response: The purpose for the project is to increase the number of available burial plots to ensure the long-term needs of families can be adequately fulfilled given the increasing number of annual deaths and the limited number of cemetery spaces islandwide. There is no issue with the supply of land being limited because the Petitioner is proposing use of privately-owned property. The project serves a need for families from O'ahu and the neighbor islands, and supports the heritage factor for families. Section 2.1 of the DEIS discusses the need for this project based upon a marketing study,

and demonstrates there is considerable demand projected for additional cemetery space well into the future. How other cemeteries allow for the inclusion of only urns involves their own management and operation decisions likely driven by the fact that they have limited space. The project would support the community's need by providing families with options regarding the disposition of family members, and thus allowing them the option of traditional burials or cremation and memorialization.

8. *From a public policy viewpoint and the many reason mentioned in this letter, there is not a compelling public interest case for expansion in light of taking of very important conservation lands. We ask that you reject a reclassification of these conservation lands and keep them as is for all residents in perpetuity as they have been intended to be.*

Response: We disagree with your opinion on "public policy viewpoint" based upon the results of the DEIS discussing the purpose and need for this project (Section 2.1). As discussed in respective sections of the DEIS, this project would not have significant adverse effects on the environment, provides significant benefits to the environment (e.g. drainage, water quality), and includes design methods and other measures to minimize and avoid effects. Furthermore, the Petition Area does not consist of public lands for residents because it is privately-owned. The appropriateness of reclassifying the Petition Area's State Conservation District designation is discussed in Section 6.1.1, and provides sufficient justification for the proposed project.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or [sezer@hhf.com](mailto:sezer@hhf.com).

Sincerely,



Scott Ezer  
Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.





Mary I. Piette  
45 090 Namoku Street, #503  
Kaneohe, Hawaii 96744

October 20, 2018.

To Ron Sato, HHF Planner

Subject; Hawaii Memorial Park Expansion Proposal

Pohai Nani residents live below the Hawaii Memorial Park and will be directly impacted by future construction and changes. I represent the views of many of my Pohai Nani residents.

I wish to speak against the approval for a change of zoning for a small area within the the Park from Conservation to Urban.

1. This area was designated a conservation area some years ago in order to protect the landscape from erosion, and flooding. This reasoning still remains for the area as a conservation area.
2. The proposed EIS is seeking more space for burial purposes for hopefully the citizens of Hawaii. I have not determined any limitation to Hawaii residents only. The Hawaii Business Magazine in 2016 published an article indicating that ground burial is and has become an outdated method of burial. Cremation or "paddle out" services are increasingly common and popular. In addition, alternative areas are still available elsewhere.
3. Space. Oahu is an island with limited land available for burial purposes. Burial customs must adjust and change.
4. The proposed EIS does not address the issue of global warming. The containment measures for waterflow, the threat of flooding has reached far greater degrees. In short, it seems that containment is beyond the realm of the possible.
5. The proposal describes a period of construction of about 16 months. This construction will involve grading and removal of soils and plants and construction of some new buildings to service the sites. Huge construction equipment will be involved and the original terrain will be reconstructed and changed. Construction alone can impact the endangered damsel fly though space has been added. The construction activity could well impact the Hawaiian Heiau sites. Simply the heavy vehicle travel and the dirt can impact the air quality. Risk too is the land itself which has preserved and protected will be destroyed. The risk is real.

Mary I. Piette, Pohai Nani Resident. B.A. Queens University, M.A. Stanford, MLS University of Hawaii. Retired librarian, Hawaii State Library System, and Utah State University, Coordinator for Habitat for Humanity. Vista Volunteer, Utah.

Sincerely,



Mary I. Piette.

cc: Scott Duckson





March 29, 2019

Ms. Mary I. Piette  
45-090 Namoku Street, #503  
Kāneʻohe, HI 96744

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Ms. Piette:

Thank you for your October 20, 2018 letter providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses under numbered subheadings corresponding to your comments.

1. *Pohai Nani residents live below the Hawaii Memorial Park and will be directly impacted by future construction and changes. I represent the views of many of my Pohai Nani residents. I wish to speak against the approval for a change of zoning for a small area within the Park from Conservation to Urban.*

Response: We acknowledge your opposition to the project, and clarify that the Petitioner is not requesting a change of zoning that is under the City's jurisdiction. As discussed under Section 1.1.1 of the DEIS, a State land use district boundary amendment is being requested. The Pohai Nani residential tower is not located "below" the existing Hawaiian Memorial Park (HMP) site, and would be about 2,000 feet away from the cemetery expansion as shown on Figure 1.2. Based upon the results of the DEIS, the project would not significantly impact Pohai Nani residents, and there would be a large vegetated buffer separating the cemetery expansion from that facility. Furthermore, a conservation easement planned for the remaining areas of the Petitioner's property would ensure no further development occurs beyond what is presently proposed.

2. *This area was designated a conservation area some years ago in order to protect the landscape from erosion, and flooding. This reasoning still remains for the area as a conservation area.*

Response: The appropriateness of reclassifying the Petition Area's State Conservation District designation to the Urban District is discussed in Section 6.1.1 of the DEIS, and it is noted these areas were originally designated for "Residential," "Low Density Apartment," and "Agricultural" uses under the City's 1964 Detailed Land Use Map. The property is within the Conservation District due to changes in the regulations as opposed to its natural resources or character. Under the initial creation of Conservation Districts, there were only two subzones, consisting of General Use and Restricted Watershed as discussed in Section 6.1. This property was included under General Use, which allowed a wide variety of urban uses, such as resort and related residences, hotels, restaurants, and recreational facilities. Subsequent updates of Conservation District maps did not designate this property as an important resource, but identified it as "scrub land." Furthermore, the

expansion of the HMP cemetery has been incorporated in the City's updated *Ko'olau Poko Sustainable Communities Plan* by Ordinance 17-42. The project is consistent with the City's sustainable communities plan which designates this area for urban expansion as part of the Community Growth Boundary.

3. *The proposed EIS is seeking more space for burial purposes for hopefully the citizens of Hawaii. I have not determined any limitation to Hawaii residents only. The Hawaii Business Magazine in 2016 published an article indicating that ground burial is and has become an outdated method of burial. Cremation or "paddle out" services are increasingly common and popular. In addition, alternative areas are still available elsewhere.*

Response: The cemetery expansion would primarily serve O'ahu residents because it allows family members to visit memorial sites. But the cemetery expansion could also serve families from the neighbor islands, U.S. mainland, or international residents. It is up to families to decide where members would be buried and memorialized. HMP is open to all.

Section 2.1 addresses the need for the project and discusses methods of disposition. The vast majority of disposition choices are burial or cremation. The need for additional burial space to accommodate both is also presented. This section also discusses the results of the market study, explaining projected demand for interments that include an increasing percentage of cremation; background on cremation in Hawai'i; and factors that influence further disposition decisions by family members. In addition, there is the heritage factor and memorialization considerations for families. The expansion of HMP addresses these objectives by providing additional burial plots and options for families. The proposed project supports the community's needs by providing families with disposition options, and allows them to access traditional burials or cremation. Section 2.1 discusses the available inventory of other cemeteries and demonstrates why there is a long-term need for additional burial space. Section 2.5 addressed alternatives to the project and validates why alternative locations do not meet the purpose and need for this project.

4. *Space. Oahu is an island with limited land available for burial purposes. Burial customs must adjust and change.*

Response: Section 2.1 shows there is a long-term shortage of available cemetery burial plots to accommodate the future needs of O'ahu due to the aging and increasing population. Thus, we concur that there is limited land available, and the project is intended to address this need. As previously discussed, the project supports the community by providing families with options regarding the disposition of family members, allowing them to choose between traditional burials or cremation and inurnment.

5. *The proposed EIS does not address the issue of global warming. The containment measures for waterflow, the threat of flooding has reached far greater degrees. In short, it seems that containment is beyond the realm of the possible.*

Response: Section 3.2.5 addressed climate change and its effect on the project. Flooding is also addressed in Section 3.2.4. Section 2.2.2 describes that the project's preliminary design would accommodate the 100-year storm event instead of the required 10-year storm event. Detention basins planned would reduce the discharge volumes by an additional 3 percent for the 100-year storm event, and improve current drainage conditions within this watershed as discussed in Section 3.7. The project would subsequently improve the watershed (Section 3.6) and surface waters (Section 3.7) within the Petition Area, and improve water quality (Section 3.8) by increasing infiltration, reducing runoff velocity, volumes, and erosion, and reducing downstream flooding.

6. *The proposal describes a period of construction of about 16 months. This construction will involve grading and removal of soils and plants and construction of some new buildings to service the sites. Huge construction equipment will be involved and the original terrain will be reconstructed and changed. Construction alone can impact the endangered damsel fly though space has been added. The construction activity could well impact the Hawaiian Heiau sites. Simply the heavy vehicle travel and the dirt can impact the air quality. Risk too is the land itself which has preserved and protected will be destroyed. The risk is real.*

Response: As discussed in Section 2.2, the project does not involve the construction of new buildings to service the expanded cemetery. HMP's existing administrative buildings would continue to manage and service the expanded cemetery.

Sections of the DEIS in Chapter 3 address the project's effect on the natural features associated with the privately-owned hillside property, and includes design measures to minimize effects.

Several mitigative measures and best management practices (Section 3.1.2) were identified to address both short-term construction-related and long-term effects from the proposed project. As discussed in Section 3.3 of the DEIS, the botanical study determined that the existing Petition Area consists of a wet alien forest dominated by introduced (alien) plant species. The extensive tree canopy of this forest restricts underlying vegetation growth due to reduced sunlight resulting in many areas having bare soil or limited groundcover that contribute to erosion and discharge of sediment into Kāne'ōhe Bay (Section 3.8). Construction activities would not affect Kawa'ewa'e Heiau that is located within a proposed 14.5-acre Cultural Preserve.

Section 3.5 discusses the damselfly and determined the proposed project should not impact that species or its habitat. The area surrounding the seep would be preserved and various design measures discussed in Section 2.2.2 would ensure subsurface water would continue to flow to the seep. The study results from various experts have combined to provide a comprehensive understanding of the damselfly habitat and allow for design measures to be incorporated into project plans which avoid affecting this species.

Fugitive dust emissions could result from earth moving activities as discussed in Section 4.6.2. To minimize such emissions, site grading would occur in phases of 5-acre increments. The geotechnical analysis notes existing soils would be moist to wet given the high rainfall environment surrounding the area. Therefore, these soils should result in less potential for airborne transmission of dust compared to drier soils. A dust control plan would be prepared if air quality impacts are anticipated by the project contractor. Measures to control fugitive dust emissions that may also be transported may involve BMPs consisting of a watering program, use of windscreens, and temporary rock pavers for heavily traversed areas.

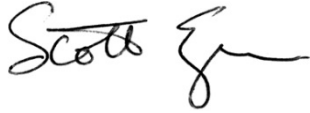
Ms. Mary I. Piette

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Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,

A handwritten signature in black ink that reads "Scott Ezer". The signature is written in a cursive style with a large initial "S" and a long, sweeping underline.

Scott Ezer  
Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.



*improving the quality of lives of pets and their people.*

---

October 22, 2018

Land Use Commission

RE: Draft EIS for Hawaiian Memorial Park

Aloha Members,

I am writing in support of the draft EIS for the expansion of Hawaiian Memorial Park. I appreciate that the DEIS has addressed the questions and concerns raised by our ohana as well as the community. We need a place to say aloha to our loved ones and this project is sorely needed on an island in which there are very few places to do this. It not only serves our purpose, but it provides important opportunities to perpetuate our native Hawaiian culture.

I have a personal connection to the cemetery since it is the resting place of four generations of the Mahukona and Chan Ohana including my great grandfather, Officer David Mahukona, a solo bike officer for the Honolulu Police Department, died in 1923 in the line of duty. My grandfather, Libert Koko Chan from Hana, and grandmother, Hazel Mahukona Chan from Papakolea, are also buried here along with numerous other family members including my dad's two brothers and their children.

While most of our ohana now lives on the west side of Oahu because it offered the most affordable choices in housing, we have continued to bury family at Hawaiian Memorial Park – because everyone wants to be together. Four times a year, I take my father to the park to place flowers on the graves. The rest of the family takes turns to make sure that those that have passed are not forgotten.

Hawaiian Memorial has been working Poi Dogs & Popoki (PDP) for over five years now to address the feral cat population at the park. Like other preservation areas, they also face challenges of feral chickens and pigs. But unlike other areas managed by government and/or private land owners, Hawaiian Memorial has acted responsibly and with compassion to address the problem. They have been strong supporters of our mobile spay/neuter efforts and embraced Trap-Neuter-Return (TNR) efforts to reduce the feral cat population which affects the entire community.

Hawaiian Memorial Park and their staff are wonderful stewards to the families resting here and important supporters of our animal welfare efforts. They exude compassion and caring every day. Please look favorably on this bill and support their expansion. If you have any questions, please contact me at [alicia@poidogsandpopoki.org](mailto:alicia@poidogsandpopoki.org).







March 29, 2019

Poi Dogs & Popoki  
alicia@poidogsandpopoki.org

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Participant:

Thank you for your October 23, 2018 email providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses under numbered subheadings corresponding to your comments (italicized).

- I am writing in support of the draft EIS for the expansion of Hawaiian Memorial Park. I appreciate that the DEIS has addressed the questions and concerns raised by our ohana as well as the community. We need a place to say aloha to our loved ones and this project is sorely needed on an island in which there are very few places to do this. It not only serves our purpose, but it provides important opportunities to perpetuate our native Hawaiian culture.*

Response: We appreciate your support of the proposed project and acknowledge your belief that the DEIS has addressed questions and concerns raised about the project. We agree that this project is needed given the anticipated shortfall of burial plots on Oʻahu. The project will provide additional burial space to accommodate a growing need for additional burial plots as the state's population ages. As discussed in your comment, the proposed Cultural Preserve will provide a space where native Hawaiian culture can be perpetuated.
- I have a personal connection to the cemetery since it is the resting place of four generations of the Mahukona and Chan Ohana including my great grandfather, Officer David Mahukona, a solo bike officer for the Honolulu Police Department, died in 1923 in the line of duty. My grandfather, Libert Koko Chan from Hana, and grandmother, Hazel Mahukona Chan from Papakolea, are also buried here along with numerous other family members including my dad's two brothers and their children.*

*While most of our ohana now lives on the west side of Oahu because it offered the most affordable choices in housing, we have continued to bury family at Hawaiian Memorial Park – because everyone wants to be together. Four times a year, I take my father to the park to place flowers on the graves. The rest of the family takes turns to make sure that those that have passed are not forgotten.*

Response: Thank you for sharing the personal connection your family has with the Hawaiian Memorial Park cemetery.

3. *Hawaiian Memorial has been working Poi Dogs & Popoki (PDP) for over five years now to address the feral cat population at the park. Like other preservation areas, they also face challenges of feral chickens and pigs. But unlike other areas managed by government and/or private land owners, Hawaiian Memorial has acted responsibly and with compassion to address the problem. They have been strong supporters of our mobile spay/neuter efforts and embraced Trap-Neuter-Return (TNR) efforts to reduce the feral cat population which affects the entire community.*
- Response: We appreciate the efforts taken by Poi Dogs & Popoki to aid the Petitioner in managing the feral cat population at the existing cemetery area. We agree that the Petitioner has acted responsibly to address this issue by taking proactive steps to partner with your organization.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or [sezer@hhf.com](mailto:sezer@hhf.com).

Sincerely,

A handwritten signature in black ink that reads "Scott Ezer". The signature is written in a cursive, flowing style.

Scott Ezer, Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.

HFF Planners  
733 Bishop Street, Suite 2590  
Honolulu, HI. 96813

**ATTENTION: Ronald A. Sato**

According to HMP's DEIS, a small knoll between Lipalu and Ohaha Place would be excavated. Significant short term impacts will impact our neighborhood during the construction phase. My property is directly downwind in trade wind weather and abutting this hillside.

I am concerned that we will be subjected to noise and dust. By your estimate, this will take approximately a year and a half, assuming there are no construction delays.

**ES-9 Noise**

Construction noise would not be loud enough to cause hearing loss, but may affect the capacity of individuals to communicate with one another, requiring them to raise their voices.

**Considering the duration of construction, how can you prove that repeated exposure to high noise levels will not result in permanent hearing loss of residents in neighboring homes?**

**What is the duration of time that you believe will not cause hearing damage?**

**Will neighboring residents be compensated financially for permanent hearing loss?**

**ES-9 Air Quality**

Air quality impacts would primarily result from fugitive dust emissions from construction activities and vehicle movement along with exhaust emissions from equipment. Short term impacts may also result from vehicular CO emissions related to movement of construction equipment to and from the Petition Area.

**During construction will HMP pay for any damages from fugitive dust to neighboring homes?**

**Will you compensate residents from the effects of inhaling dust?**

**Will you have any fire suppression / prevention in the event of a fire?**

**How will you protect the neighboring homes should a fire start on the property?**

Figure 4.9, Views from Residential Area (view 3) is a photo of my Street before construction. I am concerned about the view after construction. Please provide an artist's rendition of this altered view.

Jesse Reavis  
45-173 Ohaha Place  
Kaneohe, HI. 96744

*Jesse Reavis* 10/6/18





March 29, 2019

Mr. Jesse Reavis  
45-173 Ohaha Place  
Kāneʻohe, HI 96744

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Mr. Reavis:

Thank you for your October 6, 2018 letter providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses under numbered subheadings corresponding to your comments.

1. *According to HMP's DEIS, a small knoll between Lipalu and Ohaha Place would be excavated. Significant short term impacts will impact our neighborhood during the construction phase. My property is directly downwind in trade wind weather and abutting this hillside.*  
Response: Sections of the DEIS in Chapter 3 address the project's effect on the natural features associated with the privately-owned property, and includes design measures to minimize anticipated effects. As discussed in Section 2.2.2, several design measures and best management practices (BMPs) are proposed to address short-term construction activities and effects. It is anticipated the main grading work for the project would be done in one phase, in maximum 5-acre increments, to minimize disruptions to adjacent residences. The actual measures would be determined during the project design phase that includes review of construction plans and obtaining necessary ministerial permits.
2. *I am concerned that we will be subjected to noise and dust. By your estimate, this will take approximately a year and a half, assuming there are no construction delays.*  
Response: Section 4.5 addresses noise and Section 4.6 addresses air quality effects from construction activities, and identifies mitigative measures proposed to address these short-term effects. More specific responses on these concerns are provided to you questions below.
3. *ES-9 Noise. Construction noise would not be loud enough to cause hearing loss, but may affect the capacity of individuals to communicate with one another, requiring them to raise their voices.*  
Response: Page ES-9 is from the executive summary section of the DEIS. More details addressing noise are provided in Section 4.5.
  - a. *Considering the duration of construction, how can you prove that repeated exposure to high noise levels will not result in permanent hearing loss of residents in neighboring homes?*  
Response: Section 4.5 includes the results of a noise study prepared for the DEIS and identifies noise guidelines and standards established by both federal and state agencies.

Construction activities would inevitably generate noise volumes that would be audible at nearby residences. The actual sound levels experienced will vary during activities, and are a function of the distance from the noise source and sound attenuation (topography, vegetation structures). Typical noise levels would vary between 80 to 90 dBA from 50 feet away, and decreases with distance (-6 dBA when doubling distance). Your property is about 150 feet away from the nearest construction activities because a vegetated buffer area is proposed. At this distance, construction noise would be about 10 dBA lower and further attenuated inside the house. In addition, the majority of grading activities would occur well away from Ohaha Street, further minimizing noise disturbances. In comparison, existing noise along Kamehameha Highway was estimated to be 70 dBA. None of this noise would be high enough to cause hearing loss or interfere with communicating at your residence. Further, the State Department of Health regulations would be followed, and a noise permit obtained would have further restrictions.

- b. *What is the duration of time that you believe will not cause hearing damage?*

Response: The noise levels occurring at your home would not be of sufficient volume to cause hearing damage over time and would only occur during the day. As already discussed, construction activities would occur a distance away reducing noise levels, and most activities would be even further away. A general guide to minimize hearing risk is exposure of 85 dBA for eight hours per day, followed by 10 hours of recovery time at which the risk to harm ears is negligible. Noise from construction activities would not occur continuously over an eight hour period, and would only occur during the day allowing for sufficient rest. In comparison, average noise from a washing machine is about 70 dBA and gas-powered lawnmowers or leaf blowers are about 90 dBA.

- c. *Will neighboring residents be compensated financially for permanent hearing loss?*

Response: As discussed, construction noise levels would not be of sufficient levels or extended timeframes to cause permanent hearing loss.

4. *ES-9 Air Quality. Air quality impacts would primarily result from fugitive dust emissions from construction activities and vehicle movement along with exhaust emissions from equipment. Short term impacts may also result from vehicular CO emissions related to movement of construction equipment to and from the Petition Area.*

Response: Page ES-9 is from the executive summary section of the DEIS, and more details addressing emissions are provided in Section 4.6.

- a. *During construction will HMP pay for any damages from fugitive dust to neighboring homes?*

Response: Fugitive dust emissions could result from earth moving activities as discussed in Section 4.6.2, but should not adversely impact or damage your home. To minimize such emissions, site grading would occur in phases of 5-acre increments. The geotechnical analysis notes existing soils would be moist to wet given the high rainfall environment surrounding the area. Therefore, these soils should result in less potential for airborne transmission of dust compared to drier soils. A dust control plan would be prepared if air quality impacts are anticipated by the project contractor. Measures to control fugitive dust emissions may involve BMPs consisting of a watering program, use of windscreens, and temporary rock pavers for heavily traversed areas. Your residence is located about 150 feet away from the nearest construction activities, and the majority of grading activities would occur well away from your residence further minimizing potential emission effects. Project plans discussed in Section 2.2 include a large vegetated buffer area that would be retained further reducing potential effects.

In addition, fugitive dust emissions would not “damage” a home, such as what could occur from a hurricane or earthquake.

- b. *Will you compensate residents from the effects of inhaling dust?*

Response: No compensation is planned for “effects” of inhaling dust as discussed in the previous response.

- c. *Will you have any fire suppression/prevention in the event of a fire?*

Response: Roadways serving the cemetery expansion would be designed to accommodate fire vehicles and equipment in accordance with City standards, and fire hydrants would be provided along roadways to support fire suppression. No additional fire suppression or prevention measures are necessary.

- d. *How will you protect the neighboring homes should a fire start on the property?*

Response: A vegetated buffer area of about 150 feet would be provided separating the cemetery expansion from neighboring homes. As discussed in the prior response, operation of the cemetery is unlikely to cause or experience fires due to the nature of activities occurring, and fire hydrants would be provided along the access roads. No additional measures are necessary to protect adjacent residences from potential fires.

5. *Figure 4.9, Views from Residential Area (view 3) is a photo of my Street before construction. I am concerned about the view after construction. Please provide an artist's rendition of this altered view.*

Response: As discussed in Section 4.7.2, the character of this privately-owned hillside would change, but would still be compatible with the surrounding environment. The landscaped and open space character of the expanded cemetery would complement the existing HMP and Hawai'i State Veterans Cemetery already present within the backdrop of the larger Oneawa hillside. This change would not have an adverse effect on existing important public viewsheds and viewing locations discussed in Section 4.7. Such landscaped open space views and the character of the expanded cemetery are similar to other existing nearby uses consisting of the Pali Golf Course and Ko'olau Golf Club. The Petition Area would continue to be obscured by mature trees associated with the approximate 150-foot vegetated buffer separating nearby residences. Residential home views are not protected by law. For example, an adjacent homeowner could construct a home that blocks prior views. Section 4.7.2 adequately discusses the visual effects from the project on the Pikoiloa subdivision, and explains how existing views would largely remain unchanged due to the extensive growth of trees and vegetation serving as a buffer. Therefore, a rendering of a simulated view from Figure 4.9 is not necessary.

Mr. Jesse Reavis

Page 4

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Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,

A handwritten signature in black ink that reads "Scott Ezer". The signature is written in a cursive style with a large, stylized "S" and "E".

Scott Ezer, Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.



forwarded message:

**From:** Bill Sager <[bsager42@gmail.com](mailto:bsager42@gmail.com)>

**Date:** October 19, 2018 at 8:56:35 PM GMT-4

**To:** [daniel.e.ordenker@hawaii.gov](mailto:daniel.e.ordenker@hawaii.gov), [10B8G@logemail.lessannoyingcrm.com](mailto:10B8G@logemail.lessannoyingcrm.com)

**Subject:** Testimony - Hawaiian Memorial Park Expansion

I think the HMP Property Management Plan as represented by the EIS is a good plan and a vast improvement over the original plan. I am particularly impressed by the depth of the cultural surveys and the provisions made to protect cultural sites and resources.

I have one reservation. The drainage plan provides for retention of a 100 year storm. However, I cannot find a definition of what a 100 year storm will consist of. Climate scientists forecast extreme droughts punctuated by extreme storms will be the future for Hawaii's climate. Category 4 & 5 hurricanes will be come the norm rather than the exceptions.

Predictions based on historic data are no longer valid.

I believe the retention basins should be built to minimize the runoff from an Cat 5 storm. If that is not practical then a lesser design must be able to handle overflow without a danger of the retaining dam washing out.

I recommend the liberal use of rain gardens which will serve as retention ponds, serve as pollution sumps and increase infiltration into the ground water. This will help to recharge the wells used for irrigation. Rain Gardens are attractive landscaping features and will help reduce the inflow into retention basins.

I recognize HMP is not obligated to mitigate potential flooding caused by a major storm. But I believe HMP is obligated to build retention basins that will not wash out and result in a mini-flash flood down stream.

If your plan can satisfactorily address my drainage concerns I can fully support the development plan and the final EIS

--

Bill Sager, 808-375-1114

WRKG2GTHR, LLC

Create resilience in your life.





March 29, 2019

Mr. Bill Sager

Email: bsager42@gmail.com

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Mr. Sager:

Thank you for your email to the State Land Use Commission on October 19, 2018 providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses under numbered subheadings corresponding to your comments.

1. *I think the HMP Property Management Plan as represented by the EIS is a good plan and a vast improvement over the original plan. I am particularly impressed by the depth of the cultural surveys and the provisions made to protect cultural sites and resources.*  
Response: Thank you for your observations on the EIS.

2. *I have one reservation. The drainage plan provides for retention of a 100 year storm. However, I cannot find a definition of what a 100 year storm will consist off. Climate scientists forecast extreme droughts punctuated by extreme storms will be the future for Hawaii's climate. Category 4 & 5 hurricanes will become the norm rather than the exceptions. Predictions based on historic data are no longer valid.*

Response: The term "100-year storm" is defined as a flooding from a severe storm that statistically has a 1-percent chance of occurring in any given year. Section 2.2.2 discussing the drainage design includes more information on projected stormwater volumes associated with the 100-year storm. Based upon this analysis, storm water runoff would be managed in accordance with applicable City regulations and drainage standards. The primary method planned to manage the cemetery's stormwater would be a system of detention basins designed to meet City's Drainage Standards for the 100-year, 1-hour storm event. Section 3.2.2 discusses the effects from a hurricane, Section 3.2.4 addresses flood hazards, and Section 3.2.5 discusses climate change. We respect your opinion of future hurricane strengths, but we don't believe assuming Category 4 or 5 hurricanes as a "norm" is applicable or justified at this time.

3. *I believe the retention basins should be built to minimize the runoff from an Cat 5 storm. If that is not practical then a lessor design must be able to handle overflow without a danger of the retaining dam washing out.*

Response: We would like to clarify the difference in your reference to a Category 5 hurricane designation that is pertinent to wind speed versus storm water runoff from rainfall. The hurricane threat designation discussed in your comment is the highest threat designation on the Saffir-Simpson Hurricane Wind Scale. This scale provides a means of assessing the damage potential of

hurricane “winds” and is based on a hurricane’s sustained wind speed. The Category 5 designation is provided to hurricanes with sustained wind speeds of 157 miles per hour or higher, which could cause severe damage to homes and infrastructure. This threat designation therefore does not provide a means of evaluating what the intensity of rainfall occurs accompanying such a hurricane. Therefore, the Category 5 designation cannot be used as a metric to design proposed retention and detention basins, as this infrastructure is intended to retain runoff and improve stormwater quality. As indicated in DEIS Section 3.2.2, increased damage risk from hurricane winds relative to the cemetery expansion is not anticipated. Cemetery expansion would change the existing forested landscape to a grassed landscaped area with cemetery monuments that would not be effected. This would reduce the amount of vegetation debris (i.e. branches) that could damage surrounding residences due to wind dispersal.

Section 2.2.2 discusses that proposed drainage improvements would be designed to accommodate the 100-year storm event instead of the typical 10-year storm event. Detention basins would reduce discharge volumes by an additional 3 percent for the 100-year storm event which would benefit site drainage conditions. The proposed drainage improvements have been appropriately designed for detention (flood control) and retention (stormwater quality) in compliance with the City’s updated regulations (August 2017). It should be clarified that retention/detention basins are relatively small in size and are not categorized as “dams”. Detention basins are standard and agency accepted methods to address drainage conditions and would result in a significant improvement over current conditions as discussed in respective sections of the DEIS. Detention basin walls are not anticipated to fail, and HMP would provide regular maintenance and inspection of their facilities to assure slope stability and clogging to not degrade the integrity of the basins.

4. *I recommend the liberal use of rain gardens which will serve as retention ponds, serve as pollution sumps and increase infiltration into the ground water. This will help to recharge the wells used for irrigation. Rain Gardens are attractive landscaping features and will help reduce the inflow into retention basins.*

Response: Drainage improvements planned already serve the purpose proposed, and wells are not planned for irrigation of the cemetery as discussed in Section 5.1. Section 5.3 addresses the proposed project effects on flooding and explains that runoff velocity and volumes from the Petition Area would decrease due to the reduction in overall site slope as well as proposed drainage improvements. Installation of turf grass would also slow the velocity of runoff and result in improved stormwater infiltration and decreased sediment transport that would have beneficial effects on water quality.

5. *I recognize HMP is not obligated to mitigate potential flooding caused by a major storm. But I believe HMP is obligated to build retention basins that will not wash out and result in a mini-flash flood down stream. If your plan can satisfactorily address my drainage concerns I can fully support the development plan and the final EIS.*

Response: As previously responded, the detention basins planned are not dams, and would not wash out from a storm. Detention basins planned are required, standard, and accepted methods for addressing drainage. Plans would be appropriately designed and reviewed by agencies for approval as part of ministerial permits required.


Mr. Bill Sager

Page 3

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Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,

A handwritten signature in black ink that reads "Scott Ezer". The signature is written in a cursive style with a large, stylized "S" and "E".

Scott Ezer, Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.



## Ronald Sato

---

**From:** Tercino, Stephen P <Stephen.Tercino@charter.com>  
**Sent:** Monday, September 10, 2018 11:00 AM  
**To:** Ronald Sato  
**Cc:** SCOTT.A.DERRICKSON@HAWAII.GOV  
**Subject:** HAWAIIAN MEMORIAL PARK CEMETARY EXPANSION PROJECT - SPECTRUM REVIEW AND COMMENT

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Ronald,

We don't have any cables that are going into the Hawaiian Memorial Park Cemetery. This project will not impact us.

However, we have records of their underground telecomm infrastructures, to possibly feed them in the future, should they order service from us. Will these infrastructures be affected?

Thank You,

STEPHEN TERCINO  
CONSTRUCTION COORDINATOR  
CHARTER COMMUNICATIONS  
DESK: 808-625-9745  
MOBILE: 808-465-5122

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March 29, 2019

Mr. Stephen Tercino, Construction Coordinator  
Spectrum  
200 Akamainui Street  
Mililani, Hawaii 96789

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Mr. Tercino:

Thank you for your September 10, 2018 email providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided numbered responses to correspond to your comments (italicized).

- We don't have any cables that are going into the Hawaiian Memorial Park Cemetery. This project will not impact us.*  
Response: We acknowledge your statement that the project will not impact Spectrum infrastructure.
- However, we have records of their underground telecom infrastructures, to possibly feed them in the future, should they order service from us. Will these infrastructures be affected?*  
Response: We note your statement that your organization would service HMP's telecommunications infrastructure if the Petitioner requires additional service in the future. The project does not propose facilities that would require additional telecommunications service and these upgrades would not be required.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,

Scott Ezer, Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.



## Ronald Sato

---

**From:** Maralyn Tilley <waitilley5@icloud.com>  
**Sent:** Tuesday, October 23, 2018 4:24 PM  
**To:** Ronald Sato  
**Subject:** Hawaii Memorial Park expansion

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

A Yes, yes and yes. Exactly what we need. Thought of everything.

Maralyn Tilley

Sent from my iPhone

This message has been scanned for viruses and dangerous content using Worry-Free Mail Security and is believed to be clean.



March 29, 2019

Ms. Maralyn Tilley  
Waitilley5@icloud.com

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Ms. Tilley:

Thank you for your October 23, 2018 email providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses to correspond to your comments (italicized).

*A Yes, yes and yes. Exactly what we need. Thought of everything*

Response: We acknowledge your belief that the project is exactly what families of our community need. We appreciate your support of the project.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,

A handwritten signature in black ink that reads "Scott Ezer". The signature is fluid and cursive.

Scott Ezer, Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.

## Ronald Sato

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**From:** Wilmeth, Barry <BarryW@cbpacific.com>  
**Sent:** Tuesday, October 23, 2018 5:10 PM  
**To:** dbedt.luc.web@hawaii.gov  
**Cc:** Ronald Sato  
**Subject:** Support of Hawaii Memorial Park Cemetery

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

I support the expansion of Hawaii Memorial Park Cemetery. Continuing additions of burial plots are needed to best serve our community because most families desire to be buried together or as close to one another as possible. The expansion project will help fulfill one of the greatest needs that we have in our community.

Barry Wilmeth  
92-2044 Kulihi St Kapolei 96707  
808 282-1090

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March 29, 2019

Mr. Barry Wilmeth  
92-2044 Kulihi Street  
Kapolei, Hawai'i 96707

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāne'ohe, O'ahu, Hawai'i

Dear Mr. Wilmeth:

Thank you for your October 23, 2018 email providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses to correspond to your comments (italicized).

*I support the expansion of Hawaii Memorial Park Cemetery. Continuing additions of burial plots are needed to best serve our community because most families desire to be buried together or as close to one another as possible. The expansion project will help fulfill one of the greatest needs that we have in our community.*

Response: We acknowledge your support of the project. We agree that additional burial space is needed given an anticipated future shortage of burial space and the desire of Hawai'i residents to be buried in the same location where deceased family members are already interred. As such, the proposed project will provide additional burial space that will increase this opportunity for Hawai'i residents.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or [sezer@hhf.com](mailto:sezer@hhf.com).

Sincerely,

A handwritten signature in black ink that reads "Scott Ezer". The signature is fluid and cursive.

Scott Ezer, Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.

Grant Yoshimori  
45-464 Lipalu St.  
Kaneohe, HI 96744

October 22, 2018

Mr. Daniel Orodener  
Land Use Commission, State of Hawai'i  
235 South Beretania St., #406  
Honolulu, HI 96813

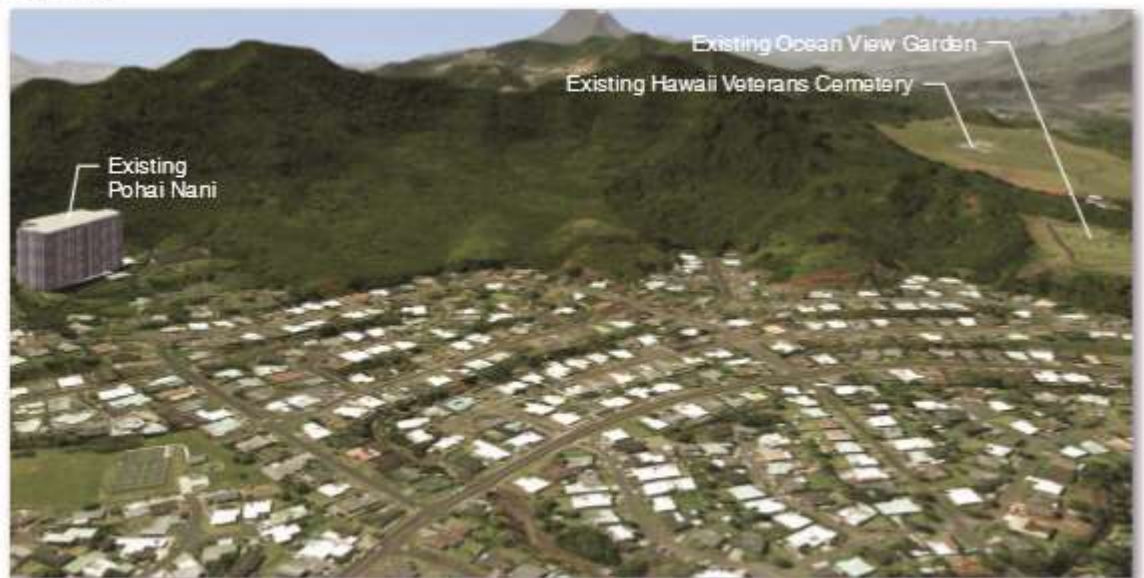
Dear Mr. Orodener:

Please accept my comments to the Hawaiian Memorial Draft Environmental Impact Statement. There are several areas of concern that I would like to see addressed in the Final EIS.

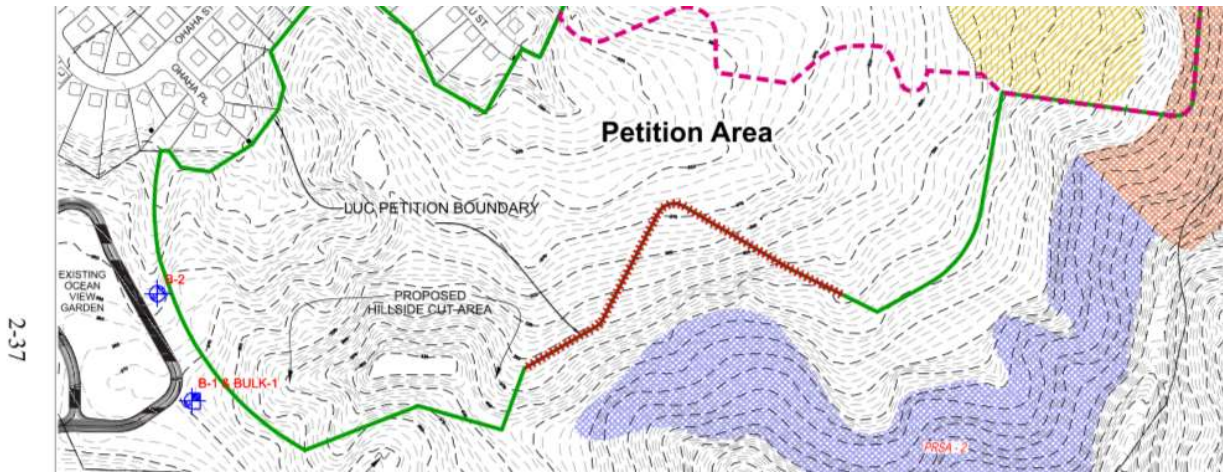
#### Visual Impact

- I believe the visual impacts in the DEIS are not accurately depicted. Could you please include the following to provide a clearer picture of the visual impact to the community:
  - o Rendition of the before and after development from the vantage point included in the original LUC Request.

#### BEFORE



- o Rendition of the 7 retaining walls against a real photo of the area.
- o Rendition of the far southern border wall, including rockfall pit.



Endangered Damselfly

- Is there a sufficient buffer for the Damselfly? Will the destruction of the nearby forest alter the ecosystem and make the area uninhabitable for the Damselfly?
- How will Hawaiian Memorial ensure that the drastic changes made to the land and the drainage, won't impact the damselfly habitat?

Flooding

- Are the water collection basins considered retention ponds or detention ponds?
- What will happen to the underlying community if the retention ponds fail?

Rockfall

- Why is there no protection from rockfall in the Cultural Preserve?

Cultural Resources

- How many of the cultural sites will be destroyed by the development?

Thank you for addressing the above in the Final EIS.

Sincerely,

A handwritten signature in black ink, appearing to read 'Grant Yoshimori'.

Grant Yoshimori

cc: Mr. Jay Morford, Mr. Ronald Sato



March 29, 2019

Mr. Grant Yoshimori  
45-464 Lipalu Street  
Kāneʻohe, HI 96744

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Mr. Yoshimori:

Thank you for your October 22, 2018 letter sent to the State Land Use Commission providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses under numbered subheadings corresponding to your comments.

1. *Visual Impact: I believe the visual impacts in the DEIS are not accurately depicted.*

Response: The visual impacts of the project are accurately addressed in the DEIS. As discussed in Section 4.7.2, the character of this privately-owned hillside would change, but would still be compatible with the surrounding environment. The landscaped and open space character of the expanded cemetery would complement the existing HMP and Hawaiʻi State Veterans Cemetery already present within the backdrop of the larger Oneawa hillside. This change would not have an adverse effect on existing important public viewsheds and viewing locations identified in Section 4.7. Such landscaped open space views and character of the expanded cemetery are also similar to other existing nearby uses consisting of open grassed lawns of the Pali Golf Course and Koʻolau Golf Club.

a. *Could you please include the following to provide a clearer picture of the visual impact to the community: Rendition of the before and after development from the vantage point included in the original LUC Request.*

Response: A rendering of the project (image included in letter) from the vantage point included in the prior 2008 Final EIS is not necessary nor applicable for this DEIS. That photo consists of an aerial photo with a perspective of the project area from the air that cannot be viewed by the public. The visual assessment conducted in the DEIS was based upon addressing project effects on important public and scenic viewing points identified in Section 4.7.1. Thus, that aerial photo is not relevant to addressing project effects on public viewing locations.

b. *Rendition of the 7 retaining walls against a real photo of the area.*

Response: A rendering of the retaining walls is not necessary because they would not be visible from the public viewing locations identified (e.g. Kamehameha Highway, Kaneohe Bay Drive), and would thus not influence nor change the results of the visual assessment. As discussed in Section 4.7.2, elevations within the cemetery expansion would generally be

- lower or the same elevation as existing surrounding uses making its view difficult to see from many areas and along roadways due to existing obstructions (e.g. homes, vegetation). The grading plan for the cemetery expansion would result in elevations ranging from about 230 to 350 feet AMSL. In comparison, the Hawai'i State Veteran Cemetery ranges in elevation from 280 to 370 feet AMSL. HMP's existing cemetery ranges in elevation from 270 to 340 feet AMSL. From the Pikoiloa subdivision area, the Petition Area would continue to be obscured by trees and vegetation associated with the approximately 150-foot vegetated buffer separating nearby residences as shown on Figures 4.9 and 4.10. Therefore, views of the retaining walls would be screened by vegetation, and such walls do not change the overall assessment of the project's visual effects. In addition, residential home views are not protected by law. For example, an adjacent homeowner could construct a home that blocks a neighbor's prior views. Section 4.7.2 adequately discusses the visual effects from the project on the Pikoiloa subdivision, and explains how existing views would largely remain unchanged due to the extensive growth of trees and vegetation serving as a buffer.
- c. *Rendition of the far southern border wall, including rockfall pit.*  
Response: As previously responded, such a rendering is not necessary because it would not be visible from the public viewing locations identified, and would not influence nor change the results of the visual assessment. The rockfall "pit" consists of a ditch as shown on Exhibit 2.6, and would not be visible from roadways or the Pikoiloa subdivision for the reasons previously discussed.

2. *Endangered Damselfly*

- a. *Is there a sufficient buffer for the Damselfly? Will the destruction of the nearby forest alter the ecosystem and make the area uninhabitable for the Damselfly?*  
Response: Section 3.5 discusses the damselfly and determined the proposed project should not significantly impact that species or its habitat. The area surrounding the existing seep would be preserved providing a sufficient buffer for the damselfly from cemetery construction and activities once completed. Various design measures discussed in Section 2.2.2 would ensure subsurface water would continue to flow to the seep. The study results from various experts (e.g. groundwater engineer, entomologist, geotechnical engineer) have combined to provide a comprehensive understanding of the damselfly habitat and allow for design measures to be incorporated into project plans to avoid affecting this species. Alteration of a portion of the hillside forest for the cemetery expansion would not make the area uninhabitable for the damselfly because that species is limited to the area along the seep and nearby vegetation. As discussed in Section 3.5, this species is vulnerable to several other types of insects (e.g. bees, ants, mosquitoes) limiting its habitat to the area along the seep. As discussed in Section 3.3 of the DEIS, the botanical study determined that the existing Petition Area consists of a wet alien forest dominated by introduced (alien) plant species that would not be destroyed or adversely affected by grading activities. Only the 28.2 acres of the cemetery expansion would affect this forest. Vegetated buffer areas separating residences, the Cultural Preserve, and remaining areas of the larger approximately 156-acre property would remain. The project would not adversely impact the various resources of this ecosystem based upon the results of studies and assessments discussed in pertinent sections of the DEIS. The project would improve the watershed (Section 3.6) and surface waters (Section 3.7) within the Petition Area, and improve water quality (Section 3.8) by increasing infiltration, reducing runoff velocity, volumes, and erosion, and reduce downstream flooding, all of which benefit Kāne'ōhe Bay.



- b. *How will Hawaiian Memorial ensure that the drastic changes made to the land and the drainage, won't impact the damselfly habitat?*

Response: The area surrounding the seep would be preserved providing a sufficient buffer for the damselfly from cemetery construction and activities once completed. The various design measures discussed in Section 2.2.2 would ensure subsurface water would continue to flow to the seep. The important element for the damselfly is the seep providing a continual source of low but consistent water flow. The surrounding area is an ephemeral drainage area that does not support the damselfly, and this drainage condition influence would not change with the project.

3. *Flooding*

- a. *Are the water collection basins considered retention ponds or detention ponds?*

Response: Section 2.2.2 describes the detention basins. Under the City's updated regulations (August 2017), retention of stormwater is a requirement for projects with more than one acre of disturbance. This is why the basins have been designed for detention (for flood control) and retention (for stormwater quality). Detention basin outlets would be designed to allow complete drainage within 48 hours when full and 24 to 36 hours when half full.

- b. *What will happen to the underlying community if the retention ponds fail?*

Response: The retention/detention basins are relatively small in size and are not categorized as dams permanently containing water that can have significant impacts on downstream properties if it fails. These basins have outlets designed to allow complete drainage within one to two days as discussed in Section 2.2.2. Detention basins are standard and agency accepted methods to address drainage conditions and would result in a significant improvement over current conditions as discussed in respective sections of the DEIS. Detention basin walls are not anticipated to fail, and HMP would provide regular maintenance and inspection of their facilities. Therefore, there should be no issues with the downstream residences associated with failures of detention basins.

4. *Rockfall: Why is there no protection from rockfall in the Cultural Preserve?*

Response: As discussed in Section 3.2.6 and shown on Figure 3.6, the upper portion of the Cultural Preserve serves as a suitable area for the containment of potential rockfall due to the site's topographic conditions. Thus, rockfall from areas above the Preserve would follow the area's natural terrain and come to rest within the upper area of the preserve. Based upon the modeling analysis conducted by the geotechnical engineer, the mid- to lower half of the Preserve would not be subject to rockfall hazards. Fencing in combination with a catchment ditch above the Preserve is therefore not required.

5. *Cultural Resources: How many of the cultural sites will be destroyed by the development?*

Response: An archaeological inventory survey (AIS) conducted for the project was discussed in Section 4.1 of the DEIS and identifies historic sites within the Petition Area. Table 4.3 clarifies the location of historic sites and Table 4.4 identifies the eligibility and recommendations for these sites. Figure 4.4 identifies 14 sites that would either be removed or partially impacted by cemetery expansion. The AIS concluded the project would have an overall positive and beneficial impact on previously identified and newly identified sites within the Petition Area. Several of the historic sites that would be impacted by grading plans for the cemetery expansion were determined to require no further work due to their historic function and poor remnant condition, indicating a lack of

Mr. Grant Yoshimori

Page 4

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excavation potential for finding significant data. Other sites impacted by grading plans were recommended for data recovery, after which the sites can be demolished.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,

A handwritten signature in black ink that reads "Scott Ezer". The signature is written in a cursive, flowing style.

Scott Ezer, Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.

## Ronald Sato

---

**From:** Paul Zeisel <pzeisel@icloud.com>  
**Sent:** Tuesday, October 16, 2018 8:41 AM  
**To:** dbedt.luc.web@hawaii.gov  
**Cc:** Ronald Sato  
**Subject:** Support for the Hawaiian Memorial Park Plan Proposal

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

I support the above plan. Apart from reasons outlined by the plan I feel that despite well meaning individuals only the management of HMP will truly make sure that the important Hawaiian Heiau and the damselfly habitat is protected.

They have the resources and funds to accomplish this. The objectors do not.

The current property is a good example of how well they do maintain the cemetery.

Additionally after attending the last meeting I feel that many of the objections raised by older persons living near this piece of land is not sincerely based on altruistic reasons. But based more on their own selfish reasons to a) not live next to a cemetery, and b) worried about their property values. When they purchased their property they knew why it was less expensive.

They want to "Have the cake and eat to."

Please note I to am a senior citizen.

Thank you,

Paul Zeisel

Sent from my iPhone

--

This message has been scanned for viruses and dangerous content by MailScanner, and is believed to be clean.

# HHF PLANNERS

*places for people*

March 29, 2019

Mr. Paul Zeisel  
pzeisel@icloud.com



**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāneʻohe, Oʻahu, Hawaiʻi

Dear Mr. Zeisel:

Thank you for your October 16, 2018 email providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. Our responses are numbered to correspond to your comments (italicized).

- I support the above plan. Apart from reasons outlined by the plan I feel that despite well meaning individuals only the management of HMP will truly make sure that the important Hawaiian Heiau and the damselfly habitat is protected.*

*They have the resources and funds to accomplish this. The objectors do not.*

*The current property is a good example of how well they do maintain the cemetery.*

Response: We appreciate your support of the proposed project. We acknowledge your belief that only the management of Hawaiian Memorial Park (HMP) will ensure that Kawaʻewaʻe Heiau and the endangered damselfly habitat located on site is protected. We acknowledge your assessment that HMP has the resources and funds to accomplish the project and that the current property is a good example of how well HMP maintains their cemetery property.
- Additionally after attending the last meeting I feel that many of the objections raised by older persons living near this piece of land is not sincerely based on altruistic reasons. But based more on their own selfish reasons to a) not live next to a cemetery, and b) worried about their property values. When they purchased their property they knew why it was less expensive.*

*They want to "Have the cake and eat to."*

*Please note I to am a senior citizen.*

Response: We acknowledge your assessment that many of the objections raised by elderly individuals living near the Petition Area are not based on altruistic reasons but their own desires not to live near a cemetery and to maintain their property values. In alignment with your comment, we note that you are a senior citizen.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,

A handwritten signature in black ink that reads "Scott Ezer". The signature is fluid and cursive.

Scott Ezer, Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.



*Hawaii's Thousand Friends*

300 Kuulei Rd. Unit A #281 \* Kailua, HI 96734 \* Phone/Fax (808) 262-0682 E-Mail: [htff3000@gmail.com](mailto:htff3000@gmail.com)

October 23, 2018

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Land Use Commission  
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Mr. Ronald Sato, AICP  
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Hawaiian Memorial Park Cemetery Expansion  
Draft Environmental Impact Statement

Hawaii's Thousand Friends has the following questions and comments on the DEIS and our opposition to the proposed reclassification of 53.45 acres of land in the Conservation District to the Urban District because the proposed project will destroy the watershed and hillside, cut down the forested canopy of large trees and shrubs, negatively impact endangered species, and open up the area to potential urban uses.

It is unclear why the 14.5-acre Cultural Preserve was included in the reclassification request since the area is rich in archaeological and cultural history and sites that it must be protected and retained in the Conservation District. There is absolutely no justification for this culturally significant 14.5 acres to be in the Urban District.

Figure 2.3 on page 2-26 shows eight black outlined areas outside the Cultural Preserve. Do those markings denote archeological sites? If so what are the sites and what are the plans to protect those sites?

The DEIS does not identify how many dead or diseased trees will be removed or the location of the trees slated for removal. This information must be in the FEIS.

The FEIS should provide information on how many non-diseased trees will be removed and the location of each trees slated for removal.

The DEIS does not mention restroom facilities. Will there be new restroom facilities built within the petition area including within the Cultural Preserve? If so, the FEIS must provide information on how many restrooms will be added, the location of each facility, how many stalls will be in each restroom, and include information on the ability of the existing septic system to handle the additional wastewater from each restroom.

If no new restroom facilities will be included in the cemetery expansion area and within the Cultural Preserve the FEIS should discuss why new restroom facilities will not be provided and identify the location of the nearest restroom facility available for public use.

The DEIS does not mention whether incidental take permits will be requested for the hoary bat, Pue`o and Blacktail Hawaiian Damselfly during construction. That information must be in the FEIS.

Since the population of each of these endangered species is precarious it would not be wise to grant incidental take permits for any of these endangered species until their numbers are known and their habitat and foraging areas have been identified.

An alternative not included in the DEIS is the petitioners ability to request a Conservation District Use Permit (CDUP) instead of seeking a designation change from Conservation to Urban.

In the FEIS explain why the landowner is not seeking a CDUP for use of Conservation land instead of requesting a reclassification.

The DEIS states that for the purpose of "restricting future development of the property except for execution of the Proposed Action" a conservation easement would be placed on 156.5 acres of a larger parcel. In the FEIS provide a comprehensive explanation and information on the proposed Conservation Easement such as:

- Will the Conservation Easement cover all the conservation-designated land owned by HMP?
- Define the acreage noted as the *larger parcel*
- Will the 14.5-acre Cultural Preserve be included in the Conservation Easement?
- Will open space areas and interior streets be included in the Conservation Easement?
- Identify the entities that will be associated with the Conservation Easement and identify the entities that will be legally responsible for the 14.5-acre Cultural Preserve and the additional 156.5 acres.

The petitioner seeks reclassification of 53.45 acres but only defines the use of 28.2 acres for *new cemetery space* and the *creation of a 14.5-acre Cultural Preserve*. In the FEIS describe where the approximate 11-acres are located and what will they be used for.

In the FEIS explain why HMP included the Cultural Preserve in the reclassification to Urban.

In the FEIS explain the purpose of reclassifying the 14.5 acres reserved for the Cultural Preserve from Conservation to Urban District?

The DEIS states that one of the alternatives would be to Eliminate Cultural Preserve.

In the FEIS explain how eliminating the Cultural Preserve, which is culturally significant with numerous cultural and archeological features that require protection, meets the objectives of the petitioner to expand *the cemetery to meet future burial plot needs*.

A sentence in the DEIS states that *Grading is also expected to minimally impact the volume of groundwater underlying the aquifer*. In the FEIS explain how grading will *minimally impact* in the statement

In the FEIS explain if the “three subsurface drains” to be installed to direct groundwater to the seep,” where the damselflies are located, will be permanent or temporary.

In the FEIS explain the difference between the statement *Planned grading improvements would not change the overall watershed boundaries, allowing runoff to continue flowing to lower areas of site basins* and the statement *the project would change topographic conditions within portions of the affected watersheds*.

In the FEIS provide the percentage of the soil to be removed from the petition site that is classified as “soft” soil that will not be re-used as fill material but must be trucked off site.

In the FEIS identify the method(s) to be used to excavate basalt rock and explain the percentage of the basalt rock that will be used within the petitioners property, what the basalt rock will be used for and the amount of basalt rock that will be taken off site?

In the FEIS explain the long, short-term and cumulative impacts on the environment and surface and ground water from importing crushed basalt or coral for use within the project area where none presently exists.

Under the Proposed Action *the lower flank slopes of Oneawa Hills on the western end of the site would need to be cut and excavated reducing it up to 40 feet in height and up to 100 feet in height near the top of the hillside with an estimated 470,960 cubic yards of soil excavated with 413,673 of this soil utilized as fill material within the site as part of grading improvements*.

In the FEIS provide information on:

- The current height of Oneawa Hills where the excavation will occur and the height of the hillside after excavation
- Methods of excavation to be used such as bench cuts.
- Explain the number of trees that will be removed when reducing the height of Oneawa Hills.
- Identify the number of acres of forest that will be lost to the massive excavation.
- The possibility of Oneawa Hills being quarried for the basalt rock for use in off-site construction.
- Replanting plans, if any, for the excavated hillside and the types of vegetation that will be planted to replace the present canopy of large trees and dense forest.
- On a map show the location of the excavation
- Explain if the extracted soil and rock will be used on HMP property or transported off site

In the FEIS explain the short and long-term and cumulative impacts on the natural environment, storm water runoff, erosion, endangered species, ground and surface water, reduced forest, loss of recharge capabilities, and loss of tree canopy from reducing the hillside up to 40 feet and 100 feet in height.

The DEIS states that a substantial amount of grading is needed to develop the expanded cemetery area with portions of the Petition Area having steep slopes greater than 50% that will be reduced to slopes of 20% or less to allow for pedestrian access.

In the FEIS identify the short and long-term and cumulative impacts on the natural environment, storm water runoff, erosion, endangered species, reduced tree canopy, and ground and surface water from grading slopes 50% or greater to 20% or less at each applicable site.

In the FEIS identify the existing dimensions and characteristics of the “smaller knoll” bounded by Lipalu Street and Ohaha Place that will be excavated and explain how much soil, mixed cobbles and rock material will be removed from the knoll. Also, provide information on the dimensions of the knoll after it is excavated.

In the FEIS identify the short and long-term and cumulative impacts on the natural environment, storm water runoff, erosion, endangered species, reduced tree canopy, forest recharge capabilities, ground and surface water from grading slopes that are greater than 50% to 20% or less.

Is the “smaller knoll in the lower basin” the same as the “smaller knoll” bounded by Lipalu Street and Ohaha Place? If not, describe the pre-excavation and post-excavation dimensions of the “smaller knoll in the lower basin,” explain how much dirt, rock and cobble will be excavated from this knoll, and identify where will the dirt, rock and cobble be taken.

In the FEIS identify the short and long-term and cumulative impacts on the natural environment, erosion, and storm water runoff patterns from completely removing the knoll(s)

In the FEIS identify the of-site(s) locations where the excavated soil, cobbles and rock material will it be taken and provide information on the number of trucks that will enter and exist onto Kamehameha Highway each hour and each day.

In the FEIS provide information on the number of trucks and the hours and days of the week that soil and rocks will be trucked off Hawaiian memorial Parks property onto Kamehameha Highway.

In the FEIS define the BMPs to be used for each area of the project that will help mitigate the anticipated impacts in the section titled *significant short-term impacts*. The lack of details makes it impossible to assess the effectiveness of each BMP and the short and long-term and cumulative impacts of the each project on the natural environment, storm water runoff, erosion, endangered species, reduced tree canopy, and ground and surface water.

How much grading, excavating and soil removal will occur within Alaeloa silty clay areas that have slopes of 40% to 70%? In the FEIS describe the short and long-term and cumulative impacts from reducing steep slopes to 20% or less on the natural environment, forest recharge,



storm water runoff, erosion, endangered species, reduced tree canopy, and ground and surface water.

According to Figure 3.3 the majority of earth moving and earth sculpting work will occur on KHOF slopes. In the FEIS describe much grading, excavating and soil will be removed in areas with KHOF Kaneohe silty clay that have slopes of 30% to 65% and describe the impacts from this excavation and reduction of slopes on the natural environment, storm water runoff, erosion, forest recharge, endangered species, reduced tree canopy, and ground and surface water?

The DEIS states that the expansion area is 28.20-acres yet 33.6 acres will have *earth moving activities*. In the FEIS provide information on the additional acreage that will be excavated.

In the FEIS explain how much of the *estimated excavated 470,960 cubic yards* of soil will remain within Hawaiian Memorial Park (HMP) property and how much will be transported off site?

In the FEIS identify the materials that will be used to create the keystone design walls, how much material will be required for each wall and where the material will come from.

Figure 3.3 shows a triangle with a darker brown in the upper corner within the petition area but there is no corresponding legend. What is the soil type for that area?

In the FEIS describe the method(s) to be used to remove large boulders.

The DEIS states that *to address short-term construction-related impacts, BMPs would be implemented to minimize impacts to soils*. In the FEIS describe the BMPs and explain why BMPs are needed to *minimize impacts to soils*.

Since an EIS is meant to disclose the environmental effects of a proposed action it is frustrating that the DEIS does not identify the project design and BMPs so that a reader can evaluate the scope of the project and the effectiveness of the BMPs to protect the natural environment, prevent storm water runoff and erosion, protect endangered species, minimize impacts of a reduced tree canopy, and protect ground and surface water.

The FEIS must include the design and BMPs that will be used for each project and segment of a project so that a reader can evaluate the short and long-term and cumulative impacts of each segment of a project on the natural environment, endangered species, erosion, storm water runoff, ground water recharge and surface water

The following BMP measures should be included in the FEIS list of BMPs to be used in construction of the project:

- Anchored silt fencing
- When excavating forested slopes an aviary reconnaissance of the area trees and shrubs must be conducted each day before excavating slopes and removing trees to prevent harming or killing endangered species.
- To avoid accidentally harming or killing hoary bat pups whose habitat is in trees construction must be stopped during hoary bat season (June 1 through September 15).

In the FEIS explain how is the re-use of soil on site as a source of fill material is a mitigative measure.

In the FEIS explain how “...the *alignment of the proposed Cultural Preserve area boundaries with respect to topographic conditions will aid in the natural containment of rock fall within area boundaries.*”

The DEIS states that since the “*upper slopes of the Cultural Preserve would be subject to rock fall, but the lower half of the site would not*” The FEIS should include preventative measures such as strategically placing a chain link fence in combination with a catchment ditch to catch debris and rocks before they roll onto the lower cultural site should be implemented.

In the FEIS explain what is meant by *permitted visitors* to the Cultural Preserve. Will the cultural site be open to the public? Will residents have to get a permit to visit the site? If a permit is required what is the process to obtain a permit?

The DEIS states that “The proposed action would significantly alter the present botanical characteristics of the area proposed for cemetery’s expansion because this site would undergo extensive grading activities (cut/fill). However, proposed improvements would not impact Federal or State-listed threatened or endangered species or species of concern because none were observed within the Petition Area.” This is an incorrect statement.

The federally listed Blackline Hawaiian Damsely has a significance presence in the area and the state listed Pue`o and hoary bat are know to frequent the area. The FEIS should be changed to reflect the fact that the Blackline Hawaiian Damsely, hoary bat and Oahu Pue`o are know to be in the area.

The federally listed endangered and endemic Blackline Hawaiian damselfies habitat within the proposed project area consists of a spring head contains in a damaged concrete box structure, with an interior water-filled well approx 90 feet deep. Water seeping out of the hillside to either side of this structure accumulates as shallow pools 1-3 inches deep in a small, muddy gully that gently descends for a distance of approx 250 linear feet until being captured in a vertical concrete shaft that connects to the City and County storm sewer system.

The Blackline Hawaiian damselfies appear to be breeding along the length of this outflow between the springhead and the storm sewer intake.

The DEIS incorrectly states that the Proposed Action, which includes cutting down trees, where Blackline Hawaiian Damsely roost, and shrubs, removing massive amounts of soil and rock and which could lead to uncontrolled erosion and silt going into the seep, ground and surface water “*would not adversely impact native invertebrate species*” because they are “*widespread in distribution.*”

It is irrelevant if the Blackline Hawaiian Damsely is wide spread, which it isn’t, it is on this property and could be negatively impacted by construction and earthmoving activities.

Threats to current existence of the Blackline Hawaiian Damsely include severe alteration and degradation of freshwater habitats due to past and present land use and water management

practices including urban development and development of ground water, perched aquifer and surface water resources

The FEIS should contain the following measures that will protect Blackline Hawaiian Damselies:

- HMP should work with U.S. Fish and Wildlife to create a Blackline Hawaiian Damselie Habitat, Foraging Management and Construction Avoidance Plan which would include a water monitoring schedule, regular area inspections to assure water is continuing to flow and have a backup plan if water levels are depleted
- Inspections should be conducted prior to the start of construction to establish and document baseline water flow conditions. Monitoring should continue during construction and for 6 months post-construction to ensure water continues to flow from the seep
- During construction the seep area should be checked on a weekly basis to inspect water flow and ensure BMP erosion control measures are working
- After construction inspections should be conducted weekly for the first 3 months and every 2 weeks after if conditions are satisfactory, up to a total of 6 months. After 6 months HMP staff can conduct monthly inspections of the seep to monitor for continued water flow.
- Implementation of measures such as piping of new water to supplement short-term water flow if water flow is significantly disrupted.
- Monitor for invasions of non-native fish
- Put a non-barbed wire fence around damselie breeding and resting places to prevent pigs from trampling the damselie
- Landscape the area with native plants

The Hawaiian hoary bat roosts in both exotic and native wood vegetation across all islands and will leave young unattended in trees and shrubs when they forage. If trees or shrubs 15 feet or taller are cleared during the pupping season, there is the risk that young bats could inadvertently be harmed or killed since they are too young to fly or may not move away. Additionally, Hawaiian hoary bats forage for insects from as low as 3 feet to higher than 500 ft above the ground and can become entangled in barbed wire used for fencing.

Although endangered hoary bats were not detected in the Petition Area the DEIS acknowledges that hoary bats may be in the Petition Area and since much of their forest habitat will be cut down the following long-term protective measures should be included in the FEIS and project design.

- Do not disturb, remove or trim woody plants greater than 15 feet during the bat birthing and pup rearing season (June 1 through September 15)
- Conduct a daily reconnaissance of a proposed excavation area before beginning work
- Create a Hoary Bat Habitat, Foraging and Construction Avoidance Plan

The DEIS acknowledges that the state listed endangered Oahu Pue`o *occasionally use resources* in the general Petition Area. The Oahu Pue`o is the only Pue`o listed, primarily due to the loss of habitat and foraging areas.

After identifying the existence of the Pue`o and hoary bat within and near the project area it is unsatisfactory to say that the proposed action “*is not expected to have a significant impact on avifaunal species because the majority of species present are alien.*”

The DEIS is right that the Oahu Pue`o *faces daunting odds* that is why it is imperative that mitigative measures be incorporated into the FEIS and project design plans such as:

- The creation of a Pue`o Habitat, Foraging and Construction Avoidance Plan because every individual is critical to the survival of this aumakua
- A daily reconnaissance of forested areas that will be cut down and/or excavated
- Since Pue`o eat rodents a protocol should be established to test any dead Pue`o found on cemetery grounds for high levels of fertilizers and pesticides

The FEIS must explain the how the conclusion was reached that replacing forested areas with open grassed landscape *would benefit the nesting success of seasonally present Pue`o.*

The FEIS must explain the methodology used to reach the conclusion that the Pue`o are only *seasonally* present and identify the season.

The FEIS must explain how much tree canopy will be lost and the impact of tree loss on the Pue`o and hoary bat.

The FEIS must provide information on the short and long-term and cumulative impacts on the *Blackline Hawaiian Damselfly, hoary bat* and *Pue`o* from cutting down large mature trees and the loss of forest cover.

The FEIS should include a list of the number of days and hours of each day that avifaunal and mammalian surveys were conducted.

In the FEIS identify the location of each of the eight indigenous and three endemic plant species in relation to all proposed construction and earth moving activity and identify the BMPs that will be implemented to protect the plants.

In addition to the three identified mitigative measures a Plant Preservation and Construction Avoidance Plan should be created for plants in areas outside of the Cultural Preserve to avoid “accidental” disturbance or destruction of the indigenous and endemic plant species.

The FEIS must identify the short and long-term and cumulative impacts on the indigenous and endemic plants from grading, excavation and construction.

Kaneohe Bay is designated as Class AA water body, providing the highest priority water quality protection. The Bay does not meet water quality standards set by EPA under the Clean Water Act. Removing the natural vegetation that creates the Oneawa Hills forest, watershed and recharge area will only add to the degradation of Kawa Stream and Kaneohe Bay.

Kawa Stream is considered impaired by high levels of nutrients (nitrogen and phosphorus, turbidity) and suspended solids. Adding new areas that require fertilizers and pesticides will increase the nutrient levels that flow into the stream and into Kaneohe Bay.

The FEIS should explain how often Hawaiian Memorial Park tests storm water flow to ensure that nutrient levels do not get too high and that formaldehyde is not seeping into the groundwater or Kawa Stream and include a link to that information.

The DEIS states that BMPs and mitigative measures are not needed to protect the spring area in the northwest section of the Petition Area near Ohala Place. The FEIS must explain why BMPs and mitigative measures are not needed.

#### HRS § 226 STATE PLANNING ACT

##### HRS §226-4: State Goals

(2) *A desired physical environment, characterized by beauty, cleanliness, quiet, stable natural systems and uniqueness, that enhances the mental and physical well-being of the people*

The Project is not consistent with this goal because project improvements will alter the character and terrain of the Petition Area's physical environment by removing 470,960 cubic yards of soil and rock, reducing 50% slopes to 20% or less, removing *knolls*, and cutting existing forest canopy of large trees and shrubs to create a manicured grass cemetery.

(3) *Physical, social and economic well-being, for individuals and families in Hawaii, that nourishes a sense of community responsibility, of caring and of participation in community life.*

The Project is not consistent with this goal because the creation of a cemetery does not nourish a sense of community responsibility, caring and participation in community life. Bringing people together for activities such as cleaning a stream, picking up litter, participating in citizen patrols, and holding community events creates a sense of community. While the Cultural Preserve will provide community involvement the Preserve it seems that the Preserve will not be open to the public so participation will be limited.

##### HRS §226-6 Objectives and policies for the economy in general

Objective (a) *planning for the State's economy in general shall be directed toward achievement of the following objectives:*

(b) Policies

(19) *Promote and protect intangible resources in Hawai'i, such as scenic beauty and the aloha spirit, which are vital to a healthy economy.*

The project is not consistent with this policy because removing 470,960 cubic yards of soil, cutting down knolls, reducing 50% slopes to 20% or less, cutting down forest with large trees canopies to put in retaining walls where there currently are none not only changes the topography but removes the natural scenic beauty of the area.

##### HRS §226-7 Objectives and policies for the economy - agriculture

(a) *Objectives: Planning for the State's economy with regard to agriculture shall be directed towards:*

(b) Policy

(10) *Assure the availability of agriculturally suitable land with adequate water to accommodate present and future needs*

The proposed project is not consistent with this policy because once the Project area is designated urban, as the applicant requests then the land will never be designated agriculture.

HRS §226-11 Objectives and policies for the physical environment – land-based, shoreline and marine resources

(a) *Objectives, Planning for the State's physical environment with regard to land-base, shoreline, and marine resources shall be directed towards achievement of the following objectives*

(1) *Prudent use of Hawai'i's land-based, shoreline and marine resources*

The project is not consistent with this objective because according to the DEIS *minimization* meaning the lowest possible value and importance measures will be implemented. This objective requires the most prudent, i.e. careful, cautious, use of the land to ensure that endangered species habitat and foraging areas, watersheds and the public health are protected.

(2) *Effective protection of Hawai'i's unique and fragile environmental resources.*

The project is not consistent with this objective because instead of protecting the unique features of the area the project will alter the terrain by reducing hillsides to 100 feet in height, remove 470,960 cubic yards of soil and rock, reduce 50% slopes to 20% or less, remove existing *knolls*, and remove the existing forest canopy of large trees and shrubs which provide habitat for the State listed endangered Pue`o, hoary bat and federally listed Blackline Hawaiian Damsselfly.

(b) Policies:

(1) *Exercise an overall conservation ethic in the use of Hawai'i's natural resources*

The project does not provide a *conservation ethic* because to accomplish the goal of creating a relatively flat cemetery of manicured grass the terrain will have to be altered by reducing hillsides to 100 feet and 40 feet in height, removing 470,960 cubic yards of soil and rock, reducing 50% slopes to 20% or less, removing existing *knolls*, and cutting the existing forest canopy of large trees and shrubs which provide habitat for the State listed endangered Pue`o, hoary bat and federally listed Blackline Hawaiian Damsselfly

(2) *Ensure compatibility between land-based and water-based activities and natural resources and ecological systems*

The project is not consistent with the land-based objective because to achieve a relatively flat grassy area for graves the current hilly, heavily forested hillside and steep slopes of 50% slopes will have to be reduced to 20% slopes of less.

(3) *Take into account the physical attributes of areas when planning and designing activities and facilities*

The project is not consistent with this policy because the project is not planned around the topography but instead will destroy the physical attributes of the area i.e. remove *knolls*, reduce 50% slopes to 20% or less, reduce hillsides to 40 and 100 feet and cut down unknown numbers of trees and shrubs in a watershed forest to create manicured grass.

(4) *Manage natural resources and environs to encourage their beneficial and multiple use without generating costly or irreparable environmental damage*

The project is not consistent with this policy because once a thick canopy of trees is cut down and the forest loses its ability to act as a watershed and when steep terrain is leveled the environmental damage is done and no amount of mitigative measures will bring back the original attributes of the land.

(6) *Encourage the protection of rare or endangered plant and animal species and habitats native to Hawai'i.*

The project is not consistent with this policy because it only acknowledges one endangered species, the federally listed Blackline Hawaiian Damselfly while the state listed Pue`o, hoary bat and the indigenous, naturally occurring without human assistance in the locality it occupies plants, ekaha (birds nest fern), moa (fern), pala`a (fern), haa, popolo, uhaloa, ka`e`e, palapalai (fern), hala tree are within the petition area and are pretty much ignored. The DEIS does not provide any protection measures for the Pue`o and the only protective measure for the hoary bat was to not cut down trees and shrubs over 15 feet from June 1 through September 15 because that is pupping season.

Since none of the plants are threatened and endangered species of concern under U.S. Fish and Wildlife the DEIS comment is *The vegetation within the area proposed for the cemetery expansion would be highly altered as the plan is to completely regrade the topography in order to create the proposed expansion, thus removing most if not all of the existing vegetation.*

(8) *Pursue compatible relationships among activities, facilities and natural resources.*

The Project is not consistent with this policy because once the forest is gone and the terrain leveled there are no natural resources left to be compatible with.

From the DEIS response to this statement *The passive nature of these activities would not impact Petition Area natural resources* it is clear that once the terrain is leveled and the forest and large trees gone that the manicured grass of the cemetery, which is the Petition Area, is considered the new natural resource.

HRS §226-12 Objective and policies for the physical environment – scenic, natural beauty and historic resources

(a) Objective: *Planning for the State's physical environment shall be directed towards achievement of the objective of enhancement of Hawai'i's scenic assets, natural beauty, and multi-cultural/historical resources.*

(b) Policies

(1) *Promote the preservation and restoration of significant natural and historic resources*

The project is not consistent with this policy because the objective of the project is not to preserve, restore or work with the natural resources but to destroy them by reducing slopes of 50% to 20% or less, removing 470,960 cubic yards of soil and rock, reducing hillsides to 40 and 100 feet and cutting down trees and shrubs that make up the forest watershed.

The project does recognize the importance of the heiau and cultural sites and will create a Cultural Preserve to protect the features and integrity of the area.

(2) *Provide incentives to maintain and enhance historic, cultural and scenic amenities*

The project is not consistent with this policy because even though HMP touts the importance of creating the Cultural Preserve to protect the heiau and archeological and cultural sites including entering into a Conservation Easement with two non-profits HMB will not provide incentives to maintain and/or enhance historic and cultural sites. According to the DEIS this policy as **not applicable**.

(3) *Promote the preservation of views and vistas to enhance the visual and aesthetic enjoyment of mountains, ocean, scenic landscapes, and other natural features*

The project is not consistent with this policy because in order to obtain a level manicured lawn for cemetery plots the project will cut down unknown acres of a mature forest with large tree canopy, cut existing slopes from 50% to 20% or below and reduce hillsides to 40 and 100 feet.

Instead of promoting and enhancing views, vistas, scenic landscapes and the natural features of this area this project will drastically change the natural topography and natural scenic landscape.

(4) *Protect those special areas, structures, and elements that are integral and functional part of Hawai'i's ethnic and cultural heritage.*

The project is not consistent with this policy because while the DEIS discusses the importance of creating a Cultural Preserve one of the proposed alternatives in the DEIS was to eliminate the Cultural Preserve. This alternative was not pursued.

(5) *Encourage the design of developments and activities that complement the natural beauty of the islands.*

The project is not consistent with this policy because it does not complement or develop in harmony with the natural beauty of the area but will destroy the natural beauty by drastically changing the topography by reducing slopes of 50% to 20% or less, excavating hillsides down to 40 and 100 feet, cut down unknown acres of forest watershed, and remove 470,960 cubic yards of soil and rock.

HRS §226-13 Objectives and policies for the physical environment – land, air, and water quality

(a) Objective: *Planning for the State's physical environment with regard to land, air, and water quality shall be directed towards the following objectives:*

(1) *Maintenance and pursuit of improved quality in Hawai'i's land, air, and water resources*

The project is not consistent with this objective because the removal of 470,960 cubic yards of soil, changing a sloping topography with 50% slopes to 20% or less, removing large mature trees and shrubs that make up the natural forest will not improve the natural landscape but destroy it. The forest is a watershed and cutting it down will reduce ground water percolation, increase storm water runoff and negatively impact surface water.

HRS §226-25 Objectives and policies for socio-cultural advancement – culture

(b) Policies



(1) *Foster increased knowledge and understanding of Hawai`i's ethnic and cultural heritages and the history of Hawai`i.*

The Project does not seem to be consistent with this policy because according to the DEIS the preservation plan...**may allow for culturally oriented educational programs in the Preserve.** Thus there is no assurance that there will be opportunities to *increase knowledge and understanding* of the cultural and archaeological importance and history of sites within the Preserve. In addition, the Cultural Preserve will only *be open to authorized guests* thus limiting the educational value of the site to only those invited by selected organizations.

HRS §226-104 Population growth and land resources priority guidelines

(b) *Priority guidelines for regional growth distribution and land resource utilization*

(1) *Encourage urban growth primarily to existing urban area where adequate public facilities are already available or can be provided with reasonable public expenditures, and away from areas where other important benefits are present, such as protection of important agricultural land or preservation of lifestyles.*

The Project is not consistent with this guideline because the area is bordered only on one side by urban development and is in the Conservation District.

(2) *Make available marginal or nonessential agricultural lands for appropriate urban uses while maintaining agricultural lands of importance in the agricultural district*

The Project is not consistent with this guideline because the land is in the Conservation District and not the Agriculture District.

(9) *Direct future urban development away from critical environmental areas or impose mitigating measures so that negative impacts on the environment would be minimized.*

The Project is not consistent with this guideline because the cemetery expansion will turn State designated Conservation land from a sloping forested watershed into a manipulated man created manicured landscape.

It is impossible to determine whether the Project is totally consistent with this guideline because design plans and mitigative measures for the various activities – soil and rock removal, land excavation, tree and shrub removal etc. were not in the DEIS so it is impossible to determine if the mitigative measures would minimize negative impacts.

(10) *Identify critical environmental areas in Hawai`i to include but not be limited to the following: watershed and recharge areas; wildlife habitats (on land and in the ocean); areas with endangered species of plants and wildlife; natural streams and water bodies; scenic and recreational shoreline resources; open space and natural areas; historic and cultural sites; areas particularly sensitive to reduction in water and air quality and scenic resources.*

The forested area is a watershed and recharge area with the trees providing habitat for the federally listed Blackline Hawaiian Damsel fly and the state listed as endangered Oahu Pue`o and hoary bat. Cutting down unknown number of mature trees will negatively impact the habitat of the Blackline Hawaiian damselfly, the Oahu Pueo and the hoary bat.

Removing 470,960 cubic yards of soil and rock, and changing the topography from hills with lush vegetation to manicured lawn diminishes the watershed and recharge areas and value and takes away the natural filtering system thus making Kawa Stream and other water bodies more vulnerable to negative impacts from erosion and storm water runoff.

*(12) Utilize Hawai`i's limited land resources wisely, providing adequate land to accommodate projected population and economic growth needs while ensuring the protection of the environment and the ability of the shoreline, conservation lands, and other limited resources for future generations.*

The Project is not consistent with this guideline because the project seeks to remove almost 54 acres of forested watershed from the Conservation District and place the land in the Urban District.

*13) Protect and enhance Hawai`i's shoreline, open spaces, and scenic resources.*

The Project is not consistent with this guideline because removal of 470,960 cubic yards of soil and rock, reducing slopes off 50% to 20% or less, excavating hillsides to 40 and 100 feet, cutting down mature trees and shrubs that make up this watershed area does not protect the existing view plain and will eliminate the scenic value of this natural environment.

#### HRS §226-108 Sustainability

*(1) Encourage balanced economic, social, community, and environmental priorities*

The Project is not consistent with this guideline because in order to create additional burial space approximately 54 acres steep terrain and forested watershed will be lost.

*(2) Encouraging planning that respects and promotes living within the natural resources and limits of the State*

The Project is not consistent with this guideline because changing natural watershed terrain by reducing slopes from 50% to 20% or less, removing vegetation that creates the watershed, removing unknown number of mature trees that provide habitat for the federally listed Blackline Hawaiian Damselfly, state listed Pue`o and hoary bat and changing a natural terrain into manicured grass does not *promote living within the natural resources* of the area.

*(10) Encourage planning and management of the natural and built environments that effectively integrate climate change policy*

The Project is not consistent with this guideline because it is backwards. Instead of cutting down mature trees and vegetation this watershed area should be left alone to absorb pollutants, help cool the atmosphere and encourage more rain.

#### Conservation Land Functional Plan

OBJECTIVE 11B: Protection of fragile or rare natural resources

Policy 11B(1) *Develop protection and preservation of habitats of rare and endangered wildlife and native ecosystems*

While the DEIS states that a seep on the property offers the federally listed Blackline Hawaiian Damsel fly habitat there is nothing in the DEIS to ensure the survival or protection of this endangered species.

The DEIS does not offer mitigation measures such as placing fencing around critical habitat and the creation of a Blackline Hawaiian Damsel fly Long Term Habitat Protection and Construction Avoidance Plan. Severe changes to topography and forested areas leave the Damsel fly vulnerable to increased erosion, increased storm water runoff, and water contamination from increased use of fertilizers and pesticides.

Presently the land is designated Conservation, is a watershed with a forested tree canopy that offers habitat for the State listed Pue`o and hoary bat.

Removing the land from the Conservation District and placing it in the Urban District leaves the endangered species and the land vulnerable to future development. While HMP has agreed to place a Conservation Easement over the property the agreement can be fixed for a number of years and there is nothing to ensure that the Conservation Easement will not be changed.

Land Use Commissions eight standards for Urban District boundaries

The petitioners request to re-classify land in the Conservation District does not meet six of the standards in §15-15-18 for determining Urban District boundaries.

1. The petition area is not "city-like" it consists of steep slopes and densely forested hills. While adjacent property has "concentrations of people" they are dead people who do not need structures, streets or services.
2. While the petition area is close to centers of trading and employment, basic services- parks, schools etc. the people at the cemetery will not use these services.
  - a. Since Koolaupoko population projections indicate a declining population between 2010 and 2035 there are sufficient reserve areas for urban growth.
3. The petition lands does not meet this criteria because the land is steep with 50% slopes and is a densely forested hillside.
4. The petition area does not meet this criteria because it is only contiguous with an urban use - housing on one side. Boundaries around most of the land abut conservation-designated land.
5. While the Koolaupoko Sustainable Communities Plan Community Growth Boundary was expanded to include 53-acres that decision was made without the guidance of an EIS by which a decision-maker could effectively evaluate the environmental impacts of changing conservation land to urban and make an informed decision.

6. The land does not meet this criterion because it is adjacent to housing only on one side and surrounded by conservation land.
8. The petition lands do not meet this criteria because the slopes are 50% and greater, the area is heavily forested and fulfills the important function as a watershed and recharge area and would require an enormous amount of earth moving, land manipulation and soil and dirt removal.

#### HRS §344-3 Environmental policy

(1) Conserve the natural resources, so that land, water, mineral, visual, air and other natural resources are protected by controlling pollution, by preserving or augmenting natural resources, and by safeguarding the State's unique natural environmental characteristics in a manner which will foster and promote the general welfare, create and maintain conditions under which humanity and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of the people of Hawai'i.

Currently designated Conservation the land meets this policy by conserving and protecting the natural resources of this watershed and hillside.

#### §344-4 Guidelines

(2) *Land, water, mineral, visual, air, and other natural resources*

(D) *Encourage management practices which conserve and protect watersheds and water resources, forest, and open space areas.*

The Project seeks to change the current State designation from the Conservation District to the Urban District. This land use change defeats the purpose of this guideline to conserve and protect watersheds, forests and open spaces.

The Project will cut down the existing forest, reduce the land from 50% slopes to 20% slope or less, and cut down the hills to 40 and 100 feet thus violating this guideline.

(3) Flora and fauna

(A) *Protect endangered species of indigenous plants and animals...*

The Project does not protect the federally listed Blackline Hawaiian Damselfly, the State listed Pue`o, the hoary bat or the numerous indigenous and endemic plants on the land. Instead the project will cut down unknown number of acres of forest and trees and reshape the hilly topography to create a relatively flat area thus impacting the habitat of these endangered species.

(10) Citizen participation

(A) *Provide for expanding citizen participation in the decision making process so it continually embraces more citizens and more issues.*

With presentations given only to two organizations Kane`ohe Neighborhood Board and the Ko`olaupoko Hawaiian Civic Club, which is a co-signer on the Conservation Easement and will be the curator for the

Cultural Preserve, it is obvious that citizen participation was not expanded to include others who are interested in this project.

#### Ko`olau Poko sustainable Communities Plan (SCP)

It is unfortunate that the SCP Community Urban Boundary was changed prior to conducting an EIS. An EIS would have given decision-makers the opportunity to make an informed decision about the impacts on the environment, ecology, ground and surface water and endangered species of moving the Community Urban Boundary to allow cutting down a forest and replacing it with manicured grass.

Nothing on the land has changed. The terrain is still steep, the forest canopy is still dense, the trees are still tall offering habitat to endangered species and the forest is still a watershed. The same issues exist. Only a line on a plan was changed to allow development.





March 29, 2019

Ms. Donna Wong  
Hawai'i's Thousand Friends  
300 Kuulei Road, Unit A #281  
Kailua, Hawai'i 96734

Dear Ms. Wong:

**SUBJECT:** Hawaiian Memorial Park Cemetery Expansion Project  
Draft Environmental Impact Statement (DEIS)  
TMK: (1) 4-5-033: por. 001 (Private Property)  
Kāne'ohe, O'ahu, Hawai'i

Thank you for the October 23, 2018 letter providing comments on the Draft Environmental Impact Statement (DEIS) for the subject project. We have provided responses under subheadings corresponding to your general comments and specific resource comments. Your comments are italicized. In general, the majority of information requested has already been adequately provided in the DEIS, and comments and questions raised have been responded to in this letter. Changes that have been incorporated into the Final EIS based upon comments are acknowledged in this letter and a copy of the revised section is attached.

1. *Hawaii's Thousand Friends has the following questions and comments on the DEIS and our opposition to the proposed reclassification of 53.45 acres of land in the Conservation District to the Urban District because the proposed project will destroy the watershed and hillside, cut down the forested canopy of large trees and shrubs, negatively impact endangered species, and open up the area to potential urban uses.*

Response: We acknowledge your opposition to the proposed reclassification of the project area to the Urban District. Proposed improvements would result in changes to the project area, however, it would not "destroy the watershed and hillside" as you suggest based upon the analysis in the DEIS. Creating the cemetery expansion would remove large trees and shrubs. However, this vegetation is characterized by introduced plant species and an existing lowland alien forest. As discussed in Chapter 3 of the DEIS, the proposed project would not negatively impact endangered species. Improvements would not open reclassified areas to other potential urban uses. As discussed in Chapter 2, this area would be placed in a conservation easement with the Hawaiian Islands Land Trust to protect it from future development.

2. *It is unclear why the 14.5-acre Cultural Preserve was included in the reclassification request since the area is rich in archaeological and cultural history and sites that it must be protected and retained in the Conservation District. There is absolutely no justification for this culturally significant 14.5 acres to be in the Urban District.*

Response: The boundary amendment is required and justified for the Cultural Preserve because activities that would occur in the Preserve are not allowed within the State Conservation District as explained in Section 2.1.4 of the DEIS. This includes having traditional native Hawaiian burials within the Preserve as part of cultural practices. The adoption of the "clean burial" law by the Hawai'i legislature in 2015 (Act 171) recognized and allows for the preparation of a burial in a manner consistent with traditional native Hawaiian cultural customs.

3. *Figure 2.3 on page 2-26 shows eight black outlined areas outside the Cultural Preserve. Do those markings denote archeological sites? If so what are the sites and what are the plans to protect those sites?*

Response: Figure 2.3 (Preliminary Grading Cut And Fill Plan) does not show eight black outlined areas outside of the Cultural Preserve, but does show existing areas of identified archaeological sites (black-outlined areas). One archaeological site is located outside (mauka/south) of the cemetery expansion area. The boundary of Kawa'ewa'e Heiau extends slightly beyond (outside) the Preserve in the northern direction, and a portion of another site on the western end of the project site slightly extends north into existing residences. These archaeological sites are discussed in Section 4.1, which identifies the sites, addresses project effects, and includes mitigation recommendations, which includes plans to preserve certain sites.

4. *The DEIS does not identify how many dead or diseased trees will be removed or the location of the trees slated for removal. This information must be in the FEIS. The FEIS should provide information on how many non-diseased trees will be removed and the location of each trees slated for removal.*

Response: The majority of the project site is characterized as being a Lowland Alien Wet Forest dominated by introduced plant species. Section 3.3 includes more details describing botanical resources. A botanical survey report was also included in Appendix E of the DEIS. Project plans, such as Figure 2.3, show areas that would be affected by grading activities. Therefore, the location of areas where existing vegetation would be removed is shown and discussed under grading plans and other project details in Section 2.2. Impacts to vegetation are addressed in Section 3.3, which explains that the majority of existing plant species (90%) displaced by grading activities within the cemetery expansion are alien (84%) or of Polynesian introduction (6%).

It is not necessary to identify how many dead or diseased trees would be removed by grading activities. An EIS does not need be exhaustive to the point of discussing all possible details bearing on the proposed action. Such a document is adequate if it has been compiled in good faith and sets forth sufficient information to enable the decision-maker to consider the environmental factors involved and to make a reasoned decision after balancing the risks of harm to the environment against the benefits to be derived by the proposed action. Furthermore, §11-200-17(e), HAR states the DEIS shall contain a project description, but need not supply extensive detail beyond that needed for evaluation and review of the environmental impact. The DEIS is adequate in meeting these criteria, and the assessment results and documentation included sufficient project information. Thus, the number of dead or diseased trees removed and the location of each tree are not necessary to assess project effects, and are not needed for the Final EIS (FEIS).



5. *The DEIS does not mention restroom facilities. Will there be new restroom facilities built within the petition area including within the Cultural Preserve? If so, the FEIS must provide information on how many restrooms will be added, the location of each facility, how many stalls will be in each restroom, and include information on the ability of the existing septic system to handle the additional wastewater from each restroom.*

Response: There are no restroom facilities proposed within the cemetery expansion or Cultural Preserve under this project. Therefore, the FEIS does not need to include information on restroom facilities or septic tank systems to process such facilities.

6. *If no new restroom facilities will be included in the cemetery expansion area and within the Cultural Preserve the FEIS should discuss why new restroom facilities will not be provided and identify the location of the nearest restroom facility available for public use.*

Response: No new restroom facilities are proposed as part of this project. Hawaiian Memorial Park Cemetery (HMP) already has existing restroom facilities at their administration building for the public to use, if necessary. This is a privately owned and operated cemetery, and it is the owner's prerogative to determine whether such additional facilities are desired or needed. Therefore, the FEIS does not need to discuss why such facilities are not proposed under the project.

7. *The DEIS does not mention whether incidental take permits will be requested for the hoary bat, Pue`o and Blacktail Hawaiian Damselfly during construction. That information must be in the FEIS.*

Response: Incidental Take Permits would not need to be requested by the Petitioner (Hawaiian Memorial Life Plan, Ltd.) for the hoary bat, Pue`o, or Blacktail Hawaiian Damselfly during construction activities. With minimization measures proposed for the project, it is not expected that construction activities will result in deleterious impacts to any listed species, and therefore Incidental Take Permits would not be required. For the Pue`o, the faunal study (Appendix F) determined that there is no suitable habitat for this species to forage or nest within the project site, and would not be impacted by construction activities. Construction would not occur during the hoary bat birthing and rearing season (June 1 to September 15) as discussed under proposed measures (Section 3.4), which is a widely accepted agency (U.S. Fish and Wildlife Service) standard practice. As discussed in Section 3.5, the area of the seep where the damselfly occurs would remain, and several measures were discussed to ensure this habitat would be preserved during construction activities. These respective sections of the FEIS have included discussion addressing this permit, and pages showing the revisions are provided as an attachment to this letter.

8. *Since the population of each of these endangered species is precarious it would not be wise to grant incidental take permits for any of these endangered species until their numbers are known and their habitat and foraging areas have been identified.*

Response: As previously discussed, an Incidental Take Permits would not need to be requested by the Petitioner for these listed species. Information in Sections 3.4 and 3.5 include sufficient information to address their habitat and foraging areas, identify project effects, and propose appropriate measures to prevent deleterious impacts to any listed species. The presence of these species have been adequately addressed, and are based upon a faunal study (Appendix F) conducted by an expert in that field.

9. *An alternative not included in the DEIS is the petitioners ability to request a Conservation District Use Permit (CDUP) instead of seeking a designation change from Conservation to Urban. In the FEIS explain why the landowner is not seeking a CDUP for use of Conservation land instead of requesting a reclassification.*

Response: Section 6.1.1 of the DEIS explains why a Conservation District Use Permit (CDUP) is not applicable for this project and thus not being pursued by the Petitioner. Construction and operation of a privately-owned cemetery is not an allowable land use within the General subzone or more restrictive subzones of the Conservation District. Therefore, a CDUP cannot be issued for this project. It is inappropriate to have an alternative that seeks such a permit, and the FEIS does not need to further explain why a CDUP is not being pursued.

10. *The DEIS states that for the purpose of "restricting future development of the property except for execution of the Proposed Action" a conservation easement would be placed on 156.5 acres of a larger parcel. In the FEIS provide a comprehensive explanation and information on the proposed Conservation Easement such as:*

Response: These responses address your comments and questions associated with the conservation easement proposed under the proposed project. In summary, Section 2.2 of the DEIS includes sufficient information on the conservation easement, its purpose, and what it would accomplish. Detailed specifics on a private conservation easement agreement is not needed to further address project impacts in the FEIS enabling the decision-maker to consider the environmental factors involved and to make a reasoned decision. The details of this easement would be developed between the Petitioner and the Hawaiian Islands Land Trust (HILT) upon reclassification approval of this project, and would likely be a condition of approval by the Land Use Commission.

- a. *Will the Conservation Easement cover all the conservation-designated land owned by HMP?*

The conservation easement would cover the 156.5-acre Petition Area as discussed in Section 2.2.5.

- b. *Define the acreage noted as the larger parcel.*

It is not clear what you are referencing as the "larger parcel," but the 156.5 acres are part of the larger 164.4 acre parcel (less the existing 7.9-acre Ocean View Garden) identified as Tax Map Key 4-5-033: 001 described in Section 1.4.

- c. *Will the 14.5-acre Cultural Preserve be included in the Conservation Easement?*

The Cultural Preserve would be included within the conservation easement.

- d. *Will open space areas and interior streets be included in the Conservation Easement?*

Open space areas and cemetery expansion internal roads within the 156.5-acre area will be included in the proposed easement.

- e. *Identify the entities that will be associated with the Conservation Easement and identify the entities that will be legally responsible for the 14.5-acre Cultural Preserve and the additional 156.5 acres.*

As discussed in Section 2.2, HILT will be the receiver of the easement. Other parties associated with this easement, such as the Petitioner and Ko'olaupoko Hawaiian Civic Club (cultural preserve) would be determined during the drafting of the easement document. As already discussed, such details are not needed now because existing information on the easement is already provided to adequately identify significant impacts associated with the project.

11. *The petitioner seeks reclassification of 53.45 acres but only defines the use of 28.2 acres for new cemetery space and the creation of a 14.5-acre Cultural Preserve. In the FEIS describe where the approximate 11-acres are located and what will they be used for.*

Response: Section 2.2 includes a summary of the proposed project's land use that identifies remaining areas comprised of 3 acres for internal roadways and the remaining 7.75 acres left for open space. Figures 2.2 and 2.3 show these areas not included in the cemetery expansion or Cultural Preserve. This open space would consist of undeveloped areas, areas used for detention basins, or buffer areas revegetated with grass or other landscaping using native vegetation. Section 2.2.1 of the FEIS includes a paragraph discussing this. This new section is included as an attachment to this letter.
12. *In the FEIS explain why HMP included the Cultural Preserve in the reclassification to Urban. In the FEIS explain the purpose of reclassifying the 14.5 acres reserved for the Cultural Preserve from Conservation to Urban District?*

Response: Response No. 2 explains why the Cultural Preserve is included as part of the land use district boundary reclassification. Section 6.1 of the DEIS also explained why the Cultural Preserve is included as part of the reclassification, which is due to certain cultural practices consisting of activities not permitted within the Conservation District.
13. *The DEIS states that one of the alternatives would be to Eliminate Cultural Preserve. In the FEIS explain how eliminating the Cultural Preserve, which is culturally significant with numerous cultural and archeological features that require protection, meets the objectives of the petitioner to expand the cemetery to meet future burial plot needs.*

Response: Eliminating the Cultural Preserve would not meet one of the project's objectives to support native Hawaiian cultural practices and to ensure effective stewardship of the Petitioner's property for the future as discussed in Section 2.1 of the DEIS. Therefore, eliminating the Cultural Preserve would not support this project objective, and that alternative was eliminated from further consideration. The need to expand the cemetery to meet future burial plot needs is another project objective and not directly related to the Cultural Preserve.
14. *A sentence in the DEIS states that "Grading is also expected to minimally impact the volume of groundwater underlying the aquifer". In the FEIS explain how grading will minimally impact in the statement.*

Response: Section 3.6 discusses existing groundwater resources. This assessment was based upon groundwater testing (boreholes) and a groundwater resources study conducted by Tom Nance Water Resource Engineering that has expertise in this field. Their report was included in Appendix H of the DEIS. That section explains that the entire Petition Area overlies caldera-filling volcanics that are virtually impermeable. Thus, grading improvements and cemetery use of the area do not have the potential to impact ongoing or possible future uses of groundwater from the underlying aquifer system. That section explains why the project would have minimal impact on the quality and volume of groundwater underlying the aquifer. It should be further noted that the aquifer underlying the project site is not exploited for domestic use, and is outside the Board of Water Supply's "No-Pass" Zone.

15. *In the FEIS explain if the “three subsurface drains” to be installed to direct groundwater to the seep,” where the damselflies are located, will be permanent or temporary.*  
Response: Section 2.2.2 states that the subsurface drains would be constructed under the fill material, and installed at depths to intercept and convey the flow of subsurface water to the existing shallow well and seep. These improvements would be permanent, and the FEIS does not need to further explain this.
16. *In the FEIS explain the difference between the statement “Planned grading improvements would not change the overall watershed boundaries, allowing runoff to continue flowing to lower areas of site basins” and the statement “the project would change topographic conditions within portions of the affected watersheds”.*  
Response: Statements from Section 3.7 discuss the impact from the project on streams and drainageways, and are accurate. To clarify, grading improvements do not change the overall watershed boundaries because the project drainage improvements would continue allowing runoff to flow to lower areas of site basins within this watershed. However, the project would change topographic conditions and current drainage patterns within this watershed, but the watershed boundary does not change.
17. *In the FEIS provide the percentage of the soil to be removed from the petition site that is classified as “soft” soil that will not be re-used as fill material but must be trucked off site.*  
Response: Section 3.1.2 discusses soil conditions, and the only “soft” soil referenced is that associated with the seep. That area would remain undeveloped and therefore no soils from there would be affected by the project. Section 3.1.2 includes information on Alaeloa and Kāneʻohe soils affected by grading activities.
18. *In the FEIS identify the method(s) to be used to excavate basalt rock and explain the percentage of the basalt rock that will be used within the petitioners property, what the basalt rock will be used for and the amount of basalt rock that will be taken off site?*  
Response: Section 2.2.2 discusses preliminary grading plans that include construction methods, and states that excavation work may encounter stiff to hard residual and saprolitic soils, boulders, and the underlying basalt rock formation. Most of the materials may be excavated using normal heavy excavation equipment. However, deep excavations, boulder excavations, and excavations into the underlying basalt rock formation may require the use of hoe rams. It is not necessary to explain the percentage of basalt rock that would be used within the property as such details would be determined during the design phase and construction process. That section discusses site preparation, fill and backfill material, and excavation and cut slopes, and ground settlement as part of preliminary sight grading plans. It also explains that excavated rock materials less than 12 inches in size may be used as general fill material, and can be processed and crushed to a relatively well-graded granular material. The estimated excavation and embankment quantities along with potential excess material were also discussed. As discussed in our response No. 4, an EIS does not need be exhaustive to the point of discussing all possible details bearing on the proposed action, and §11-200-17(e), HAR states the DEIS project description need not supply extensive detail beyond that needed for evaluation and review of the environmental impact. The DEIS was adequate in meeting these criteria, and the project descriptions provided sufficient information to address and identify significant environmental impacts.

19. *In the FEIS explain the long, short-term and cumulative impacts on the environment and surface and ground water from importing crushed basalt or coral for use within the project area where none presently exists.*

Response: The DEIS addressed short-term construction-related impacts along with likely long-term impacts from this project, and identified minimization or mitigative measures where applicable. Importing either crushed basalt, coral or other material as part of grading activities would have negligible, if any, difference on impacts to the environment from that already discussed under Section 3.6 (groundwater) or 3.7 (surface waters). Any fill material would meet design specifications and requirements. Section 3.6 determined that grading improvements should not have a significant impact on the project area's underlying groundwater conditions due to the underlying volcanics, and thus the type of fill material used would not change these results. Grading plans would alter current drainage patterns and routes, but actually improve conditions by reducing steeper grades, runoff velocity and quantities due to drainage improvements. Thus, the type of fill material used would have negligible, if any, difference on impacts to surface waters. Short-term effects would be mitigated by implementing best management practices (BMP) and Section 2.2.2 discussed BMPs that could be utilized. Other sections of the DEIS addressed pertinent short- and long-term effects from grading activities and project implementation such as Section 3.1 (topography and soils) that identified both short- and long-term mitigative measures. Section 3.8 (water quality) explains the proposed project has beneficial long-term effects and identified BMPs for short-term effects. Sections 4.1 (archaeology) and 4.2 (cultural resources) identified mitigation for short-term effects (e.g. monitoring plan and data recovery) and long-term (preservation plan). Section 4.3.2 (economic factors) identified short- (construction expenditures) and long-term effects (employment). Other sections have only pertinent short-term effects that were addressed such as Section 3.4 (avian and mammals) and Section 4.5 (construction noise), while other sections addressed pertinent long-term effects, but do not have relevant short-term effects, such as Sections 3.2 (seismic, hurricane and tsunami hazards), 4.3.1 (social factors), 4.7 (visual resources), and 5.3 (drainage facilities).

The DEIS addresses the project's cumulative impact on the environment from relevant past, present, and reasonably foreseeable future actions, including Section 7.3. Section 1.2 includes a summary of the historical background of the site and HMP. Section 4.1 provides discussion of the history and prior usage of the project site, and the archaeological inventory survey report (Appendix J) includes extensive background information. All of this provides a background from past activities, and coupled with information on existing conditions, provides a basis for addressing cumulative effects. Section 7.3 discussed that there are no other known developments in the immediate area that are reasonably anticipated to be completed within the 2040 study year, and contribute to a cumulative impact on the Petition Area's environment or infrastructure facilities serving HMP. The discussion of impacts in the DEIS, such as grading effects, have provided sufficient information to assist addressing the applicable cumulative effects associated with the project.

20. *Under the Proposed Action the lower flank slopes of Oneawa Hills on the western end of the site would need to be cut and excavated reducing it up to 40 feet in height and up to 100 feet in height near the top of the hillside with an estimated 470,960 cubic yards of soil excavated with 413,673 of this soil utilized as fill material within the site as part of grading improvements.*

Response: The following responses address the bulleted comments requesting the FEIS include information associated with the statement describing cut and fill activities. In summary, the information already included in the DEIS addresses your comments.

- a. *The current height of Oneawa Hills where the excavation will occur and the height of the hillside after excavation.*

Figure 2.3 provides information showing the height associated with the Oneawa hillside based upon the grading plan (areas of excavation and filling). Figure 2.4 shows the existing topographic condition and height of this hillside in relation to the grading plan. Section 2.2.2 describes this hillside and Figure 3.1 (Topographic Map) shows the existing heights associated with this hillside.

- b. *Methods of excavation to be used such as bench cuts.*

Section 2.2.2 discusses preliminary grading plans that include construction methods, figures, discussion of site preparation, fill and backfill material, and excavation activities including Exhibit 2.3 showing a section view of fill improvements.

- c. *Explain the number of trees that will be removed when reducing the height of Oneawa Hills.*

The number of trees removed by grading activities on the Oneawa hillside is not necessary because existing information in the DEIS adequately addresses project effects on botanical resources. As discussed in response No. 4, impacts to vegetation are addressed in Section 3.3 and include more details describing botanical resources. A botanical survey report (Appendix E), and Figure 2.3 shows areas that would be affected by grading activities.

- d. *Identify the number of acres of forest that will be lost to the massive excavation.*

Grading improvements would affect about 31.2 acres as summarized in Section 2.2 consisting of 28.2 acres for cemetery expansion and 3.0 acres for internal roadways.

- e. *The possibility of Oneawa Hills being quarried for the basalt rock for use in off-site construction.*

The project does not propose quarrying the hillside for basalt rock that would be used for any off-site construction.

- f. *Replanting plans, if any, for the excavated hillside and the types of vegetation that will be planted to replace the present canopy of large trees and dense forest.*

The cemetery expansion would create 28.2 acres of vegetated landscape with turf grass supporting burial plots as shown on Figure 2.2 (Conceptual Plan). As discussed in Section 2.2.1, after grading, the majority of the land would be landscaped with turf and would match the appearance of the existing HMP cemetery. Trees and other vegetation could be planted along roadways or within unused open space areas within the cemetery expansion. Vegetated buffer areas could be created along the cemetery expansion fringes using native vegetation.

- g. *On a map show the location of the excavation.*

Figures 2.3 and 2.4 showed the location of proposed excavation activities.

- h. *Explain if the extracted soil and rock will be used on HMP property or transported off site.*

Section 2.2.2 discussed excavation and embankment quantities, and the amount of material likely needing to be exported for disposal. Section 2.2.2 also discussed the use of excavated material as part of fill and backfill activities.

21. *In the FEIS explain the short and long-term and cumulative impacts on the natural environment, storm water runoff, erosion, endangered species, ground and surface water, reduced forest, loss of recharge capabilities, and loss of tree canopy from reducing the hillside up to 40 feet and 100 feet in height.*

Response: Response No. 19, deals with the applicable sections of the DEIS covering short-term construction-related impacts from grading activities along with long-term impacts from this project, and identified minimization or mitigative measures (e.g. BMPs) where applicable. Response No. 19 also discussed how the project's cumulative impact on the environment from relevant past, present, and reasonably foreseeable future actions are addressed in respective sections of the DEIS, including Section 7.3. Chapter 3 of the DEIS addresses various components of the natural environment, including effects from excavation activities and removal of the existing Lowland Alien Wet Forest dominated by introduced plant species. Although grading activities would change the existing alien forest, it would not have an adverse effect on botanical resources, and mitigative measures were proposed to utilize seeds or cuttings from endemic plants as part of replanting efforts (Section 3.3). Sections 3.4 and 3.5 discussed how the project would not significantly impact endangered species, Section 3.6 covered groundwater, and Section 3.7 covered surface waters. Section 5.3 explained how the project would improve current storm water runoff conditions and reduce erosion due to reduced runoff flow rate and volume from drainage improvements. Improvements would: 1) decrease the slope of a large portion of the hillside; 2) improve site permeability with proposed turf grass landscaping instead of the present canopy forest; 3) reduce runoff velocity; and 4) increase the time of runoff concentration held within the project site.

22. *The DEIS states that a substantial amount of grading is needed to develop the expanded cemetery area with portions of the Petition Area having steep slopes greater than 50% that will be reduced to slopes of 20% or less to allow for pedestrian access.*

*In the FEIS identify the short and long-term and cumulative impacts on the natural environment, storm water runoff, erosion, endangered species, reduced tree canopy, and ground and surface water from grading slopes 50% or greater to 20% or less at each applicable site.*

Response: Response No. 21 addresses this comment, and the DEIS sections address the entire project and grading plans. It is not necessary, nor is it logical, to address each "site" that has slopes of 50% being reduced to 20%. Figure 2.3 shows areas proposed for excavation or fill by change in elevation.

23. *In the FEIS identify the existing dimensions and characteristics of the "smaller knoll" bounded by Lipalu Street and Ohaha Place that will be excavated and explain how much soil, mixed cobbles and rock material will be removed from the knoll. Also, provide information on the dimensions of the knoll after it is excavated.*

Response: Discussing the dimensions of this smaller knoll generally located between Lipalu Street and Ohaha Place separately is not necessary to address the overall project effects. Section 2.2.2 identifies this knoll and Figure 2.3 shows its location and the extent of excavation planned as part of grading improvements. The environmental characteristics of this knoll is the same as other areas within the project site and hillside (e.g. botanical and natural environment) that are

discussed in respective sections of the DEIS. Information on impacts to soils, materials, topography, as well as the natural environment of this project site are appropriately discussed in its entirety in relevant DEIS sections. Figure 3.2 includes a section view to show excavation and fill changes. Furthermore, as discussed in response No. 4, the EIS does not need be exhaustive to the point of discussing all possible details bearing on the proposed action, and Section §11-200-17(e), HAR states the DEIS project description need not supply extensive detail beyond that needed for evaluation and review of the environmental impact. The DEIS was adequate in meeting these criteria by addressing the entire project site, and the project descriptions provided sufficient information to address and identify significant environmental impacts.

24. *In the FEIS identify the short and long-term and cumulative impacts on the natural environment, storm water runoff, erosion, endangered species, reduced tree canopy, forest recharge capabilities, ground and surface water from grading slopes that are greater than 50% to 20% or less.*

Response: Responses No. 21 and 22 address this comment.

25. *Is the "smaller knoll in the lower basin" the same as the "smaller knoll" bounded by Lipalu Street and Ohaha Place? If not, describe the pre-excavation and post-excavation dimensions of the "smaller knoll in the lower basin," explain how much dirt, rock and cobble will be excavated from this knoll, and identify where will the dirt, rock and cobble be taken.*

Response: The smaller knoll in the lower basin referenced is the same "smaller knoll" generally located between the two roadways. Response No. 23 addresses this comment.

26. *In the FEIS identify the short and long-term and cumulative impacts on the natural environment, erosion, and storm water runoff patterns from completely removing the knoll(s).*

Response: Response No. 23 addresses this comment requesting information on the smaller knoll.

27. *In the FEIS identify the of-site(s) locations where the excavated soil, cobbles and rock material will it be taken and provide information on the number of trucks that will enter and exist onto Kamehameha Highway each hour and each day.*

*In the FEIS provide information on the number of trucks and the hours and days of the week that soil and rocks will be trucked off Hawaiian memorial Parks property onto Kamehameha Highway.*

Response: As discussed in Section 5.4 (solid waste), remaining quantities of excavated material not utilized would need to be disposed of at the privately-owned PVT Nānākuli Construction and Demolition Material Landfill site. The scheduling and number of trucks used to transport excess material would be determined during the construction process by the selected contractor. Such transport activities would occur periodically as needed, and likely involve only one or two trips a day during a typical construction day. Such infrequent truck transport of material outside of weekday peak commuter hours would not have a significant impact on traffic along Kamehameha Highway. This information has been added to Section 2.2.2 of the FEIS, and a copy of this section is attached.



28. *In the FEIS define the BMPs to be used for each area of the project that will help mitigate the anticipated impacts in the section titled significant short-term impacts. The lack of details makes it impossible to assess the effectiveness of each BMP and the short and long-term and cumulative impacts of the each project on the natural environment, storm water runoff, erosion, endangered species, reduced tree canopy, and ground and surface water.*

Response: Several sections of the DEIS discuss BMPs that could be utilized to mitigate short-term construction effects. The actual measures would be determined during the project's design phase that includes review of construction plans and obtaining necessary ministerial permits by jurisdictional agencies. Section 2.2.2.4 discusses construction BMPs and ministerial permits that would minimize and mitigate such effects. Section 3.1.2 (soils) addresses mitigative measures and BMPs that may be implemented to address short-term effects. Other pertinent sections of the DEIS address BMPs or other measures that can be utilized to minimize or mitigate short-term construction-related effects. BMPs discussed appropriately address the entire project. Therefore, identifying BMPs for "each area of the project" is not required or necessary for the FEIS.

The DEIS provides sufficient detail of the project, shows conceptual plans, along with exhibits and descriptions to provide a reasonable understanding of proposed improvements so that likely impacts can be identified. Environmental reviews of projects can be completed without specific design and construction plans because sufficient project information is provided to allow identification and assessment of impacts. As discussed under response No. 4, an EIS does not need be exhaustive to the point of discussing all possible details bearing on the proposed action, and §11-200-17(e), HAR states that the DEIS project description need not supply extensive detail beyond that needed for evaluation and review of the environmental impact. BMPs identified are standard measures used with design plans, comply with applicable regulations, and are accepted by reviewing agencies. Sufficient details are provided, and do not make it "impossible" to assess the effectiveness of BMPs, and evaluate short-, long-term, and cumulative effects on the environment.

29. *How much grading, excavating and soil removal will occur within Alaeloa silty clay areas that have slopes of 40% to 70%? In the FEIS describe the short and long-term and cumulative impacts from reducing steep slopes to 20% or less on the natural environment, forest recharge, storm water runoff, erosion, endangered species, reduced tree canopy, and ground and surface water.*

Response: Figure 3.3 (Soils Map) shows existing soil types within the project site and allows an understanding of which soils would be affected by the proposed project. Figure 2.3 shows areas proposed for excavation or fill by changes in elevation. Sections 3.1.1 and 3.1.2 address impacts on topography and soils, respectively, and such effects would apply to all Alaeloa silty clay areas. Thus, specific discussion of grading, excavation and soil removal for Alaeloa soil with slopes of 40% to 70% that are reduced to 20% is not necessary. Responses No. 18, 19 and 21 further explain why, and that such short-, long-term, and cumulative impacts on the environment from the project are already addressed in the DEIS. The DEIS sections appropriately address the entire project site and grading plans.

30. *According to Figure 3.3 the majority of earth moving and earth sculpting work will occur on KHOF slopes. In the FEIS describe much grading, excavating and soil will be removed in areas with KHOF Kaneohe silty clay that have slopes of 30% to 65% and describe the impacts from this excavation and reduction of slopes on the natural environment, storm water runoff, erosion, forest recharge, endangered species, reduced tree canopy, and ground and surface water?*  
Response: Most of the excavation work would involve areas with Alaeloa soils, which would be used as fill material over Kāneʻohe soils as discussed in Section 3.1.2. Response No. 29 explains how impacts on soils are adequately addressed in the DEIS, and response No. 28 explains how the DEIS provides sufficient detail of the project, shows conceptual plans, along with exhibits and descriptions to provide a reasonable understanding of improvements proposed allowing for environment impacts from grading activities to be identified.
31. *The DEIS states that the expansion area is 28.20-acres yet 33.6 acres will have earth moving activities. In the FEIS provide information on the additional acreage that will be excavated.*  
Response: The DEIS includes information explaining that the cemetery expansion with burial plots includes 28.2 acres, plus another 3.0 acres for roadways resulting in a total of 31.2 acres, as discussed in Section 2.2. The remaining 2.4 acres includes those areas around the expanded cemetery that would be used for open space. As discussed in the DEIS, grading activities include the entire 33.6 acres, and project information addressing such activities were already covered under Section 2.2.2.
32. *In the FEIS explain how much of the estimated excavated 470,960 cubic yards of soil will remain within Hawaiian Memorial Park (HMP) property and how much will be transported off site?*  
Response: Section 2.2.2 discusses the proposed grading plans and estimates how much material is planned to be used for embankment with remaining quantities needing to be disposed of at the privately-owned PVT Nānākuli Construction and Demolition Material Landfill site. Section 5.4 (solid waste) also discusses this.
33. *In the FEIS identify the materials that will be used to create the keystone design walls, how much material will be required for each wall and where the material will come from.*  
Response: Exhibit 2.1 shows the typical section for a keystone retaining wall, and includes details on materials. Section 2.2.2 states the footing would be constructed on a concrete or crushed stone pad. The design and construction plans would determine actual materials used, and the final length of walls that would determine material quantities needed. If necessary, material would be imported from appropriate on-island suppliers meeting engineering specifications. The information provided on these activities in the DEIS is sufficient to identify and address impacts.
34. *Figure 3.3 shows a triangle with a darker brown in the upper corner within the petition area but there is no corresponding legend. What is the soil type for that area?*  
Response: The area in the upper (mauka) corner of the project site you refer to in Figure 3.3 consists of Alaeloa silty clay (40% to 70% slopes), and is shown in the legend.
35. *In the FEIS describe the method(s) to be used to remove large boulders.*  
Response: Section 2.2.2 discusses grading activities that include preliminary grading design and construction methods. Under the section discussing excavations and cut/fill slopes, it states that heavy equipment (e.g. hoe rams) may be required for boulders and hard basalt rock formations. The exact methods would be determined by the contractor as part of design and construction

plans. Information in the DEIS is sufficient to address removal of boulders so that impacts can be identified and addressed.

36. *The DEIS states that “to address short-term construction-related impacts, BMPs would be implemented to minimize impacts to soils”. In the FEIS describe the BMPs and explain why BMPs are needed to minimize impacts to soils.*

Response: The DEIS identified mitigative measures and BMPs that could be used to address short-term construction activities in Sections 2.2 and 3.1.2. Specific BMPs would be developed as part of design and construction plans, and be subject to agency review and ministerial permits. BMPs for soils during construction activities are needed to minimize and mitigate potential erosion effects from storm water runoff, and to control sediment within the project site.

37. *Since an EIS is meant to disclose the environmental effects of a proposed action it is frustrating that the DEIS does not identify the project design and BMPs so that a reader can evaluate the scope of the project and the effectiveness of the BMPs to protect the natural environment, prevent storm water runoff and erosion, protect endangered species, minimize impacts of a reduced tree canopy, and protect ground and surface water.*

Response: The DEIS provides sufficient project information, which includes figures and exhibits, to describe the proposed improvements and activities so that impacts can be identified and addressed. As discussed in response No. 4, an EIS does not need be exhaustive to the point of discussing all possible details bearing on the proposed action, and §11-200-17(e), HAR states the DEIS project description need not supply extensive detail beyond that needed for evaluation and review of the environmental impact. As discussed in response No. 19, the applicable sections of the DEIS addressed short-term construction-related impacts on the environment from grading activities along with long-term impacts from this project, and identified minimization or mitigative measures (e.g. BMPs) where applicable. As discussed under response No. 28, the actual BMP measures would be determined during the design phase that includes review of construction plans and obtaining necessary ministerial permits by jurisdictional agencies.

38. *The FEIS must include the design and BMPs that will be used for each project and segment of a project so that a reader can evaluate the short and long-term and cumulative impacts of each segment of a project on the natural environment, endangered species, erosion, storm water runoff, ground water recharge and surface water.*

Response: The FEIS does not need to include the project's design plans and finalized BMPs that would be used for construction to address environment impacts. The DEIS provides sufficient project information, which includes figures and exhibits, to describe the proposed improvements and activities so that impacts can be identified and addressed. BMPs presented appropriately address the entire project, therefore, identifying BMPs for “each project and segment” is not required or necessary for the FEIS. As discussed in response No. 4, an EIS does not need be exhaustive to the point of discussing all possible details bearing on the proposed action, and §11-200-17(e), HAR states the DEIS project description need not supply extensive detail beyond that needed for evaluation and review of the environmental impact. Under response No. 19, the applicable sections of the DEIS already addressed short-term construction-related impacts on the environment, long-term impacts, and cumulative impacts from this project.

39. *The following BMP measures should be included in the FEIS list of BMPs to be used in construction of the project:*

Response: We have the following responses to your bulleted suggested BMPs.

- a. *Anchored silt fencing.*  
Silt fencing is already identified as a BMP measure in the DEIS, and such fencing would be appropriately anchored.
- b. *When excavating forested slopes an aviary reconnaissance of the area trees and shrubs must be conducted each day before excavating slopes and removing trees to prevent harming or killing endangered species.*  
A daily reconnaissance of avifauna during excavation activities is not required nor necessary based upon the DEIS's discussion of impacts to avifauna (Section 3.4), as endangered or threatened avian species would not be significantly impacted.
- c. *To avoid accidentally harming or killing hoary bat pups whose habitat is in trees construction must be stopped during hoary bat season (June 1 through September 15).*  
Section 3.4 already includes a measure to avoid disturbance of woody vegetation taller than 15 feet (4.6 meters) during bat birthing and rearing season.

40. *In the FEIS explain how is the re-use of soil on site as a source of fill material is a mitigative measure.*

Response: Re-use of soils from the project site as fill material is a typical design measure that supports minimizing the amount material to be exported to the landfill, and reducing the amount of material needing to be imported for use. Such efforts try to achieve a net zero balance in the amount of excavation and fill used for site preparation.

41. *In the FEIS explain how "...the alignment of the proposed Cultural Preserve area boundaries with respect to topographic conditions will aid in the natural containment of rock fall within area boundaries."*

*The DEIS states that since the "upper slopes of the Cultural Preserve would be subject to rock fall, but the lower half of the site would not" The FEIS should include preventative measures such as strategically placing a chain link fence in combination with a catchment ditch to catch debris and rocks before they roll onto the lower cultural site should be implemented.*

Response: As discussed in Section 3.2.6 and shown on Figure 3.6, the upper portion of the Cultural Preserve serves as a suitable area for the containment of potential rockfall due to the site's topographic conditions. Thus, rockfall from areas above the Preserve would follow the area's natural terrain and come to rest within the upper area of the Preserve. Based upon the modelling analysis conducted by the geotechnical engineer, the mid- to lower half of the Preserve would not be subject to rockfall hazards. Fencing in combination with a catchment ditch above the Preserve is therefore not required.

42. *In the FEIS explain what is meant by permitted visitors to the Cultural Preserve. Will the cultural site be open to the public? Will residents have to get a permit to visit the site? If a permit is required what is the process to obtain a permit?*

Response: As discussed in Section 2.2.4, the stewardship and management of the Cultural Preserve would be under the Ko'olaupoko Hawaiian Civic Club. Therefore, permitted visitors would be those persons allowed by the civic club, such as cultural practitioners. This property is privately-owned, and the Preserve would not be open to the general public. Residents wanting to participate in cultural activities at the site would need to coordinate with the Ko'olaupoko

Hawaiian Civic Club to obtain permission and access, but they would not need a "permit" from the Civic Club.

43. *The DEIS states that "The proposed action would significantly alter the present botanical characteristics of the area proposed for cemetery's expansion because this site would undergo extensive grading activities (cut/fill). However, proposed improvements would not impact Federal or State-listed threatened or endangered species or species of concern because none were observed within the Petition Area." This is an incorrect statement.*

Response: In Section 3.3 (botanical), there are no endangered or threatened plants species identified within the project site. Therefore, the statement that there would not be an impact to such plant species is correct.

44. *The federally listed Blackline Hawaiian Damselfly has a significance presence in the area and the state listed Pue`o and hoary bat are know to frequent the area. The FEIS should be changed to reflect the fact that the Blackline Hawaiian Damselfly, hoary bat and Oahu Pue`o are know to be in the area.*

Response: The endangered Blackline Hawaiian Damselfly is discussed in Section 3.5, and its presence is confined to a small area of the project site along the seep. The presence of the hoary bat and Pue`o are discussed in Section 3.4.

45. *The federally listed endangered and endemic Blackline Hawaiian damselflies habitat within the proposed project area consists of a spring head contains in a damaged concrete box structure, with an interior water-filled well approx 90 feet deep. Water seeping out of the hillside to either side of this structure accumulates as shallow pools 1-3 inches deep in a small, muddy gully that gently descends for a distance of approx 250 linear feet until being captured in a vertical concrete shaft that connects to the City and County storm sewer system.*

*The Blackline Hawaiian damselflies appear to be breeding along the length of this outflow between the springhead and the storm sewer intake.*

*The DEIS incorrectly states that the Proposed Action, which includes cutting down trees, where Blackline Hawaiian Damselfly roost, and shrubs, removing massive amounts of soil and rock and which could lead to uncontrolled erosion and silt going into the seep, ground and surface water "would not adversely impact native invertebrate species" because they are "widespread in distribution."*

*It is irrelevant if the Blackline Hawaiian Damselfly is wide spread, which it isn't, it is on this property and could be negatively impacted by construction and earthmoving activities.*

Response: It should be clarified that the existing well is only 11.5 feet deep (Section 3.6.1), and is not 90 feet deep. Section 3.5.2 addresses the proposed project effect on the damselfly, and the assessment results are correct and based upon a study conducted by an expert in invertebrate resources (Dr. Steven Montgomery). The area of the seep is not proposed for development, and this area does not include cutting down trees and shrubs where the damselfly may exist.

Construction activities would not result in "uncontrolled erosion and silt" being discharged into the seep. Sections 2.2.2 and 3.1.2 discuss grading plans and identify BMPs and other measures that would be implemented to address erosion and storm water runoff. Such activities would not result in silt going into groundwater, and BMP measures address surface waters.

The statement in Section 3.5.2 mentioning not adversely impacting native invertebrate species and being widespread on distribution refers to other native invertebrate species (not endangered species) identified within the project site based upon the survey conducted by Dr. Montgomery

and identified in Table 3.3. That section addresses impacts to other invertebrates identified, and the damselfly is addressed separately later in that section.

Discussion of that section does not refer to the damselfly being "wide spread" as it refers to the other native invertebrate species identified. The results of the invertebrate study concluded that this damselfly would not be negatively impacted by construction activities, and various measures were identified to protect this seep.

46. *Threats to current existence of the Blackline Hawaiian Damselfly include severe alteration and degradation of freshwater habitats due to past and present land use and water management practices including urban development and development of ground water, perched aquifer and surface water resources.*

*The FEIS should contain the following measures that will protect Blackline Hawaiian Damselflies:*

Response: The invertebrate study and Section 3.5 do not discuss or identify threats to the damselfly's existence occurring from degradation of freshwater habitats due to past and present land use and water management practices. Your comment is made based upon your own opinion. The following responses relate to your bulleted suggestions on measures for the damselfly, and note that the majority of the suggested bulleted measures are already proposed.

- a. *HMP should work with U.S. Fish and Wildlife to create a Blackline Hawaiian Damselfly Habitat, Foraging Management and Construction Avoidance Plan which would include a water monitoring schedule, regular area inspections to assure water is continuing to flow and have a backup plan if water levels are depleted.*

There is no established "Habitat, Foraging Management and Construction Avoidance Plan" as you suggest, and the need for such a plan is not required or necessary. Section 3.5.2 identifies several measures proposed to ensure the seep and damselfly habitat is preserved. Monitoring of the seep's water flow is already proposed along with a monitoring schedule, and measures are proposed if water flow is significantly disrupted.

- b. *Inspections should be conducted prior to the start of construction to establish and document baseline water flow conditions. Monitoring should continue during construction and for 6 months post-construction to ensure water continues to flow from the seep.*

Inspections of the seep before the start of construction to establish baseline water flow conditions along with post-construction monitoring are already proposed.

- c. *During construction the seep area should be checked on a weekly basis to inspect water flow and ensure BMP erosion control measures are working.*

Weekly inspection of the seep is already proposed during construction, and inspections of BMP controls are already standard practices.

- d. *After construction inspections should be conducted weekly for the first 3 months and every 2 weeks after if conditions are satisfactory, up to a total of 6 months. After 6 months HMP staff can conduct monthly inspections of the seep to monitor for continued water flow.*

Once construction concludes, continued monitoring is already proposed for an additional six months to ensure continued seep water flow. Inspections are proposed to occur weekly for the first three months and every two weeks thereafter if conditions are satisfactory. After the six month period elapses, HMP staff would conduct monthly water flow inspections.

- e. *Implementation of measures such as piping of new water to supplement short-term water flow if water flow is significantly disrupted.*  
Measures to supplement short-term water flow are already proposed, if necessary.
  - f. *Monitor for invasions of non-native fish.*  
Monitoring as part of seep inspections to ensure non-native fish are not present is already proposed.
  - g. *Put a non-barbed wire fence around damselfly breeding and resting places to prevent pigs from trampling the damselfly.*  
Fencing around the damselfly habitat is already proposed to protect the native damselfly from disturbance by feral pigs.
  - h. *Landscape the area with native plants.*  
Landscaping of the area along the seep with native plants is not proposed because that may change the present nearby habitat conditions. The damselfly is already present at this site given existing vegetation. Such vegetation is planned to be retained.
47. *The Hawaiian hoary bat roosts in both exotic and native wood vegetation across all islands and will leave young unattended in trees and shrubs when they forage. If trees or shrubs 15 feet or taller are cleared during the pupping season, there is the risk that young bats could inadvertently be harmed or killed since they are too young to fly or may not move away. Additionally, Hawaiian hoary bats forage for insects from as low as 3 feet to higher than 500 ft above the ground and can become entangled in barbed wire used for fencing.*  
*Although endangered hoary bats were not detected in the Petition Area the DEIS acknowledges that hoary bats may be in the Petition Area and since much of their forest habitat will be cut down the following long-term protective measures should be included in the FEIS and project design.*
- *Do not disturb, remove or trim woody plants greater than 15 feet during the bat birthing and pup rearing season (June 1 through September 15).*
  - *Conduct a daily reconnaissance of a proposed excavation area before beginning work.*
  - *Create a Hoary Bat Habitat, Foraging and Construction Avoidance Plan.*
- Response: As discussed in Section 3.4.2, the project may only potentially affect hoary bats during short-term construction activities associated with the clearing of large trees or vegetation greater than 15 feet in height during the pupping season. Standard measures proposed to minimize or avoid such effects would entail not disturbing such tall vegetation during this period. By following this measure, a daily reconnaissance of the excavation area or creating a habitat, foraging and construction avoidance plan are not necessary, nor required by agencies.

48. *The DEIS acknowledges that the state listed endangered Oahu Pue`o occasionally use resources in the general Petition Area. The Oahu Pue`o is the only Pue`o listed, primarily due to the loss of habitat and foraging areas. After identifying the existence of the Pue`o and hoary bat within and near the project area it is unsatisfactory to say that the proposed action "is not expected to have a significant impact on avifaunal species because the majority of species present are alien."*

Response: Although the Pue`o may occasionally use resources in the general area, the avian study prepared for the DEIS (Appendix F) determined that there is no suitable habitat for this species to forage in or nest within the project site. Section 3.4.1 has been revised to accurately reflect this avian study finding and the revised discussion is attached. Your comment referencing the statement that you believe unsatisfactory concerning impacts to avifaunal species is correct as written in the DEIS. The overwhelming majority of avifauna species (Table 3.2) are alien and there is no suitable habitat within the project site for the Pue`o. The hoary bat is considered a mammal and is addressed Section 3.4.2 of the DEIS.

49. *The DEIS is right that the Oahu Pue`o faces daunting odds that is why it is imperative that mitigative measures be incorporated into the FEIS and project design plans such as:*

- *The creation of a Pue`o Habitat, Foraging and Construction Avoidance Plan because every individual is critical to the survival of this aumakua.*
- *A daily reconnaissance of forested areas that will be cut down and/or excavated.*
- *Since Pue`o eat rodents a protocol should be established to test any dead Pue`o found on cemetery grounds for high levels of fertilizers and pesticides.*

Response: Based upon response No. 48, there is no suitable habitat within the project site for the Pue`o. Therefore, the project would not have a significant or deleterious effect on the Pue`o. Therefore, it is not necessary to: 1) prepare a habitat, foraging and construction avoidance plan; 2) conduct daily reconnaissance of the project site; or 3) test any dead Pue`o found on the project site. Furthermore, if there was a way to immediately find a dead Pue`o within a reasonable timeframe before decomposing, there is no reasonable or practicable way to determine whether any toxicants ingested were from other areas of the island or the project site.

50. *The FEIS must explain the how the conclusion was reached that replacing forested areas with open grassed landscape would benefit the nesting success of seasonally present Pue`o.*

Response: Section 3.4.2 addressing open grassed landscape for the Pue`o has been revised in the FEIS because the landscaped grassed area of the expanded cemetery would not provide nesting habitat for this species. Pue`o prefer pastures and grasslands, and the manicured turf of the expanded cemetery does not provide appropriate habitat for this species to nest. The cemetery's grassy area may provide additional foraging habitat for this species. However, the bulk of the O`ahu Pue`o population are found on the north shore and the leeward side of the island. A copy of the revisions from the FEIS with these changes is attached.



51. *The FEIS must explain the methodology used to reach the conclusion that the Pue`o are only seasonally present and identify the season.*  
Response: The Pue`o's seasonal status is based upon the experience and expertise of Mr. Reginald David who conducted the avifaunal survey (Appendix F) for this project. Season refers to normal weather seasons as the owl may travel from one region to another due to lack of food, habitat, etc.
52. *The FEIS must explain how much tree canopy will be lost and the impact of tree loss on the Pue`o and hoary bat.*  
Response: Response No. 4 addresses project effects on vegetation, and Section 3.3 discusses such effects in more detail. As discussed in response No. 48, the project site does not provide suitable habitat for the Pue`o, and therefore grubbing activities would not impact this species. Impacts to the hoary bat are discussed in Section 3.4, addressed in response No. 47, and standard measures proposed would minimize or avoid impacts.
53. *The FEIS must provide information on the short and long-term and cumulative impacts on the Blackline Hawaiian Damselfly, hoary bat and Pue`o from cutting down large mature trees and the loss of forest cover.*  
Response: Response No. 52 addresses the impacts on the hoary bat and Pue`o from removal of existing predominantly alien trees and vegetation within the project site. Responses No. 44 and 45 address your concerns with the damselfly. The area along the seep would be preserved and subsequently not have removal of large trees or forest cover. Response No. 19 addresses how cumulative effects have been addressed in the DEIS.
54. *The FEIS should include a list of the number of days and hours of each day that avifaunal and mammalian surveys were conducted.*  
Response: Section 3.4 discusses the avian survey along with the survey method applied, and Appendix F includes the entire report. The survey methodology is based upon the biologist's expertise and experience in this field and was appropriate and standard for a parcel of this size and in this location.
55. *In the FEIS identify the location of each of the eight indigenous and three endemic plant species in relation to all proposed construction and earth moving activity and identify the BMPs that will be implemented to protect the plants.*  
Response: Figure 3.7 of the DEIS shows the locations of three endemic plant species identified within the project site based upon the botanical survey (Appendix E). Indigenous plants are native to the Hawaiian Islands and elsewhere, making them fairly common. Existing vegetation was also identified within the proposed cemetery expansion area and Cultural Preserve. The locations of each indigenous plant are not required to allow for the assessment of project impacts in relation to construction plans. Based upon the project description and grading plans (Section 2.2.2), it is clear that the majority of the site would be cleared and grubbed as shown on Figure 2.3, and adequately addressed in the DEIS. BMPs are not required or applicable to protect vegetation affected by grading activities. However, Section 3.3 identifies measures to mitigate the removal of existing plants.

56. *In addition to the three identified mitigative measures a Plant Preservation and Construction Avoidance Plan should be created for plants in areas outside of the Cultural Preserve to avoid "accidental" disturbance or destruction of the indigenous and endemic plant species.*  
Response: A "Plant Preservation and Construction Avoidance Plan" is not required for plants outside of the Cultural Preserve. Grading activities are not proposed within this Preserve, and cultural practices and landscape restoration would not adversely impact areas outside of the project site.
57. *The FEIS must identify the short and long-term and cumulative impacts on the indigenous and endemic plants from grading, excavation and construction.*  
Response: Section 3.3 addresses the project's impact on botanical resources, and response Nos. 54 to 56 address concerns with such plants. Response No. 19, describing the applicable sections of the DEIS that addressed short-term construction-related impacts on the environment, long-term impacts, and cumulative impacts from this project.
58. *Kaneohe Bay is designated as Class AA water body, providing the highest priority water quality protection. The Bay does not meet water quality standards set by EPA under the Clean Water Act. Removing the natural vegetation that creates the Oneawa Hills forest, watershed and recharge area will only add to the degradation of Kawa Stream and Kaneohe Bay.*  
Response: Section 3.8 of the DEIS addresses water quality and current conditions contributing to pollutant loads into Kāwā Stream that eventually discharge into Kāne'ōhe Bay. Kāne'ōhe Bay's current water quality is due to larger factors besides Kāwā Stream because the bay receives discharges from the larger Kāne'ōhe district and other urban developments. As discussed in Section 3.8.2, the project would have a beneficial effect on water quality because grading and drainage improvements would create less steep grades within the site, reduce the volume and velocity of runoff, and improve opportunities for stormwater to infiltrate instead of discharging. Turf grass would slow the flow of site runoff, improving ground infiltration and reducing runoff volumes. Retention/detention basins capturing and treating runoff generated from the cemetery would be designed for a 100-year frequency, one-hour duration storm event significantly reducing sediment and nutrient loads by treating the first flush of runoff from high-intensity rainfall events. These improvements would have a positive beneficial effect on the stream and bay.
59. *Kawa Stream is considered impaired by high levels of nutrients (nitrogen and phosphorus, turbidity) and suspended solids. Adding new areas that require fertilizers and pesticides will increase the nutrient levels that flow into the stream and into Kaneohe Bay.*  
Response: The water quality study (Appendix I) documents how large storm events contribute a significant amount of total suspended solids (TSS) into the stream, primarily associated with undeveloped forested areas. This project would improve Kāwā Stream's water quality by reducing stormwater discharges, TSS, and nutrients within this watershed area. The detention/retention basins would further reduce TSS and nutrient discharges, and the turf grass would allow increased rainfall infiltration, especially during smaller rainfall events. HMP maintenance staff occasionally use the herbicide Roundup (glyphosate) to address spot areas needing treatment. The Petitioner indicated such use is infrequent due to the generally wet weather in Kāne'ōhe, and nature of HMP cemetery (landscaped lawn). Fertilizers are not necessary due to the generally fertile conditions, supportive weather conditions, and lower maintenance needed for turf grass, as opposed to golf courses that are more dependent upon fertilizers. In addition, pesticides are

not used by maintenance staff for HMP's cemetery according to the Petitioner. Therefore, maintenance of the expanded cemetery lawn would not lead to increased nutrient flow into the stream and Kāne'ōhe Bay as suggested in your comment.

60. *The FEIS should explain how often Hawaiian Memorial Park tests storm water flow to ensure that nutrient levels do not get too high and that formaldehyde is not seeping into the groundwater or Kawa Stream and include a link to that information.*

Response: The testing of storm water for nutrient levels is not conducted nor required for the existing HMP. Such testing would similarly not be required for the expanded cemetery based upon the results of the water quality study. As discussed, site grading, landscaping with grass, and drainage improvements would improve water quality by reducing storm water runoff volumes, velocity, and nutrient discharges. Formaldehyde is not an issue for this project. As discussed in Section 3.8.1, water samples collected from a small spring located outside of the HMP property and at the well at the damselfly habitat did not detect Formaldehyde in any of these samples.

61. *The DEIS states that BMPs and mitigative measures are not needed to protect the spring area in the northwest section of the Petition Area near Ohala Place. The FEIS must explain why BMPs and mitigative measures are not needed.*

Response: Section 2.2 discusses the project, grading improvements, BMPs, and other details. The seep area is proposed to be preserved and would not be impacted by grading activities. This section discusses the various BMPs and other measures proposed to minimize effects from such grading activities, and includes measures to ensure the seep is not adversely affected. Section 3.5.2 also identifies several measures proposed to minimize effects and monitor the seep to ensure it is not significantly impacted.

62. Responses addressing comments on HRS §226-4: State Goals are provided.

a. Goal (2):

A desired physical environment, characterized by beauty, cleanliness, quiet, stable natural systems, and uniqueness, that enhances the mental and physical well-being of the people.

*The Project is not consistent with this goal because project improvements will alter the character and terrain of the Petition Area's physical environment by removing 470,960 cubic yards of soil and rock, reducing 50% slopes to 20% or less, removing knolls, and cutting existing forest canopy of large trees and shrubs to create a manicured grass cemetery.*

Response: The project is consistent with this goal because any new development would inevitably alter the existing environment. Although the character and terrain of the Petition Area will change, the area would not be altered in a manner adversely impacting the mental and physical well-being of residents based upon the DEIS results. It should be clarified that the quantity of excess material that may be removed from the project site is not 470,960 cubic yards (cy), but 57,287 cy. Reducing the steep slopes of the hillside would improve storm water runoff by reducing velocity and volume; the cemetery's grassed landscape would improve infiltration and detention of runoff; and proposed drainage improvements include retention/detention basins that would detain runoff. These improvements would reduce potential flooding and improve water quality by reducing sediment and other nutrients from discharging downstream. Changing the existing alien forest dominated by introduced plant species to turf grass for burial plots would not have an adverse effect on botanical resources. The cemetery provides a

significant community benefit, reflects a clean environment (lawn), is quiet, and provides a well-managed area that is compatible with the surrounding environment and adjacent cemeteries.

b. Goal (3):

Physical, social and economic well-being, for individuals and families in Hawai'i, that nourishes a sense of community responsibility, of caring and of participation in community life.

*The Project is not consistent with this goal because the creation of a cemetery does not nourish a sense of community responsibility, caring and participation in community life. Bringing people together for activities such as cleaning a stream, picking up litter, participating in citizen patrols, and holding community events creates a sense of community. While the Cultural Preserve will provide community involvement the Preserve it seems that the Preserve will not be open to the public so participation will be limited.*

Response: We believe the project is consistent with this goal as there are multiple ways of encouraging a sense of community responsibility, caring, and participation in community life beyond just the few activities suggested. Additional cemetery space accommodates an important responsibility of caring for family members throughout the community by providing options on disposition and memorialization for families in the future, as discussed in Section 2.1. In this manner, the proposed project would positively improve life in our community. Allowing the Ko'olaupoko Hawaiian Civic Club to manage and steward the Cultural Preserve supports native Hawaiian cultural practices, nourishes participation and activities within the Hawaiian community, and their cultural values and participation in caring for such resources. Although this property is privately-owned, other cultural organizations, cultural practitioners, and interested persons may participate in cultural practices in coordination with the Ko'olaupoko Hawaiian Civic Club. The cemetery expansion would be open to the public who are interested in the memorialization of family members at this site.

63. HRS §226-6 Objectives and policies for the economy in general

Policy (19):

Promote and protect intangible resources in Hawai'i, such as scenic beauty and the aloha spirit, which are vital to a healthy economy.

*The project is not consistent with this policy because removing 470,960 cubic yards of soil, cutting down knolls, reducing 50% slopes to 20% or less, cutting down forest with large trees canopies to put in retaining walls where there currently are none not only changes the topography but removes the natural scenic beauty of the area.*

Response: The proposed project is consistent with Policy 19, and would not remove 470,960 cy of excess material as previously discussed. Your interpretation of this policy is not consistent with the visual impact analysis results discussed in the DEIS. This analysis determined the Petition Area's visual resources contributing to the scenic beauty of the surrounding area would not be significantly impacted. Although the site would change visually due to proposed improvements, most of the site would not be visible by the public, and the overall scenic beauty of the surrounding area should not be significantly altered as the open space character of the cemetery would be compatible with adjacent cemeteries and the surrounding environment.

64. HRS §226-7 Objectives and policies for the economy - agriculture

Policy (10):

Assure the availability of agriculturally suitable lands with adequate water to accommodate present and future needs.

*The proposed project is not consistent with this policy because once the Project area is designated urban, as the applicant requests then the land will never be designated agriculture.*

Response: The project site is not designated State Agricultural District; soils have low utilization for agricultural production; there is no existing water source on site to sustain agriculture; and no existing agricultural activities are occurring as discussed in Section 4.4. There are no plans to reclassify this project site to the Agricultural District to support commercial agricultural production. Therefore, the project is consistent with this goal as its implementation would not result in the loss of available agriculturally suitable lands.

65. Responses addressing comments on §226-11(a) are provided.

a. Objective (1):

Prudent use of Hawai'i's land-based, shoreline, and marine resources.

*The project is not consistent with this objective because according to the DEIS minimization meaning the lowest possible value and importance measures will be implemented. This objective requires the most prudent, i.e. careful, cautious, use of the land to ensure that endangered species habitat and foraging areas, watersheds and the public health are protected.*

Response: The project is consistent with this objective because proposed improvements reflect a prudent use of this property based upon an important community need, and would not significantly impact shoreline or marine resources as discussed in the DEIS. Your interpretation of the term "minimization" measures does not mean measures of the lowest value and importance. Minimization refers to mitigating an impact by managing the severity of the action's effect through appropriate and practical design and avoidance measures. "Prudent" use refers to acting with care and thought for the future, and the project includes several measures reflecting such prudent use. This includes creating a Cultural Preserve, establishing a conservation easement, implementing drainage improvements that would improve current storm water conditions, and protecting the damselfly and associated seep habitat. As discussed in pertinent sections of the DEIS, the watershed would not be adversely affected and public health would be protected.

Preserving the seep area is a measure determined to be a prudent means of protecting this habitat and damselfly.

b. Objective (2):

Effective protection of Hawai'i's unique and fragile environmental resources.

*The project is not consistent with this objective because instead of protecting the unique features of the area the project will alter the terrain by reducing hillsides to 100 feet in height, remove 470,960 cubic yards of soil and rock, reduce 50% slopes to 20% or less, remove existing knolls, and remove the existing forest canopy of large trees and shrubs which provide habitat for the State listed endangered Pue`o, hoary bat and federally listed Blackline Hawaiian Damselfly.*

Response: The Petition Area does not include unique and fragile environmental resources that would be negatively impacted by project improvements. The site consists of an existing alien forest dominated by introduced plant species. Unique historic sites are being preserved within the Cultural Preserve, and the seep area is being preserved to

support the damselfly. Changes to the hillside reducing its height and steepness would affect the area's topographic conditions and soil. However, measures to mitigate such impacts were discussed in the DEIS. Project plans would improve current storm water runoff and potential flooding conditions as a result of reduced runoff velocity and volume, increased infiltration, and water quality through detention basins. The DEIS demonstrates that the Pue'ō would not be impacted, standard measures for disturbing trees larger than 15 feet tall would minimize effects on the hoary bat, and the damselfly and seep would be protected. Therefore, the project is consistent with §226-11(b) of the HSPA.

66. Responses addressing comments on policies in §226-11(b) are provided.

a. Policy (1):

Exercise an overall conservation ethic in the use of Hawai'i's natural resources.

*The project does not provide a conservation ethic because to accomplish the goal of creating a relatively flat cemetery of manicured grass the terrain will have to be altered by reducing hillsides to 100 feet and 40 feet in height, removing 470,960 cubic yards of soil and rock, reducing 50% slopes to 20% or less, removing existing knolls, and cutting the existing forest canopy of large trees and shrubs which provide habitat for the State listed endangered Pue'ō, hoary bat and federally listed Blackline Hawaiian Damselfly.*

Response: It should be clarified that the term "conservation" ethic represents seeking the proper use and allocation of natural resources. As already discussed, the project includes the prudent use of this site and resources reflecting actions proposed with care and thought for the future. This includes creating a Cultural Preserve, establishing a conservation easement, implementing drainage improvements that would improve current storm water conditions, and protecting the damselfly and associated seep habitat. Changes to the hillside, vegetation, and effects on endangered species have been addressed. The project is consistent with this policy, and several measures are proposed to minimize or mitigate impacts from short-term construction activities.

b. Policy (2):

Ensure compatibility between land-based and water-based activities and natural resources and ecological systems.

*The project is not consistent with the land-based objective because to achieve a relatively flat grassy area for graves the current hilly, heavily forested hillside and steep slopes of 50% slopes will have to be reduced to 20% slopes of less.*

Response: The project would be consistent with this policy because the cemetery and Cultural Preserve are appropriate land-based activities that do not conflict with water-based activities within Kāne'ōhe Bay. Section 6.2.2 discusses how the cemetery expansion is consistent with the City's sustainable communities plan, and the DEIS discusses how short-term construction-related impacts would be minimized or mitigated by BMPs or other measures. Because this proposed project is an expansion of the existing HMP cemetery, it is a compatible land-based activity. Altering site conditions does not make a land-based activity incompatible with water-based activities. The DEIS addresses how certain natural resources would not be adversely impacted, and ecological systems would be preserved (e.g. seep) and improved from drainage plans (water quality). Sections of the DEIS explain that the existing alien forest would not be adversely impacted, and that although grading activities would change the topography of the site, it would still be a compatible land-based activity (cemetery).

c. Policy (3):

Take into account the physical attributes of areas when planning and designing activities and facilities.

*The project is not consistent with this policy because the project is not planned around the topography but instead will destroy the physical attributes of the area i.e. remove knolls, reduce 50% slopes to 20% or less, reduce hillsides to 40 and 100 feet and cut down unknown numbers of trees and shrubs in a watershed forest to create manicured grass.*

Response: The proposed project is consistent with this policy because the site's physical attributes were taken into account in the preliminary design of proposed improvements. Section 2.2.2 summarized these site conditions and the design criteria (slopes less than 20%) needed for pedestrian access to burial sites. This policy does not require the planning and designing of facilities to retain or work around existing topography, or prevent site changes due to grading activities. The hillside's physical attributes were taken into account, and design measures incorporated to minimize effects as discussed in Section 2.2.2. A geotechnical study (Appendix C) supported the preliminary design of the project which provided information and recommendations given the site's existing topographic and geologic conditions. Reducing the steepness of the hillside would improve drainage conditions within this area by reducing runoff volumes and velocity. Erosion would be reduced, improving water quality, and allowing for increased stormwater infiltration as a result of the grassed cemetery and detention basins. A botanical study evaluating the characteristics of the Petition Area, which presently consists of an alien forest dominated by introduced plants, provided information on the site to take into account when developing plans. Grading improvements would not significantly affect the watershed as discussed in the DEIS.

d. Policy (4):

Manage natural resources and environs to encourage their beneficial and multiple use without generating costly or irreparable environmental damage.

*The project is not consistent with this policy because once a thick canopy of trees is cut down and the forest loses its ability to act as a watershed and when steep terrain is leveled the environmental damage is done and no amount of mitigative measures will bring back the original attributes of the land.*

Response: The project is consistent with this policy because the intent is not to preserve the existing attributes of an area, but to encourage beneficial and multiple use of the environment in a manner that does not generate costly or irreparable environmental damage. The project would inevitably change the site's existing vegetation (alien forest), but would not result in irreparable environmental damage to botanical resources and the watershed as discussed in respective sections of the DEIS. Section 3.7.2 explains that the overall watershed boundaries would not change and would continue to serve its function. Groundwater would not be adversely impacted (Section 3.6). Site landscaping improvements involve removal of trees and replacement with turf grass, and would not irreparably damage the Petition Area's existing watershed functions. As discussed in the DEIS, turf grass landscaping is expected to slow the velocity of runoff resulting in improved stormwater infiltration and water quality.

e. Policy (6):

Encourage the protection of rare or endangered plant and animal species and habitats native to Hawai'i.

*The project is not consistent with this policy because it only acknowledges one endangered species, the federally listed Blackline Hawaiian Damselfly while the state listed Pue`o, hoary bat and the indigenous, naturally occurring without human assistance in the locality it occupies plants, ekaha (birds nest fern), moa (fern), pala`a (fern), haa, popolo, uhaloa, ka`e`e, palapalai (fern), hala tree are within the petition area and are pretty much ignored. The DEIS does not provide any protection measures for the Pue`o and the only protective measure for the hoary bat was to not cut down trees and shrubs over 15 feet from June 1 through September 15 because that is pupping season. Since none of the plants are threatened and endangered species of concern under U.S. Fish and Wildlife the DEIS comment is "The vegetation within the area proposed for the cemetery expansion would be highly altered as the plan is to completely regrade the topography in order to create the proposed expansion, thus removing most if not all of the existing vegetation".*

Response: Discussion of this policy has been revised in the FEIS to identify the Pue`o and hoary bat that may occur in the area of the Petition Area, and a copy of this revision is attached with this letter. Your perception of the Pue`o being present in the Petition Area is not correct. The avian and mammalian survey did not identify Pue`o within the Petition Area, and concluded that the Petition Area does not provide suitable foraging or nesting habitat for Pue`o due to the dense tree canopy and presence of predators. Therefore protection measures are not necessary. Similarly, the Hawaiian hoary bat was not identified within the Petition Area by the avian and mammalian survey. Although not identified within the site, this species may utilize resources in the Petition Area. Therefore, standard agency accepted mitigative measures to protect bats are proposed (Section 3.4), and additional measures are not necessary. Discussion of the site's vegetation is provided in the DEIS, and does not include endangered plants that need to be discussed under this policy. We note that your comment incorrectly identifies Ha`a, a non-endangered endemic tree species, as being located in the Petition Area, which it is not. Measures are proposed to mitigate impacts resulting from project grading activities on the indigenous and endemic plants species identified in the Petition Area by the project's botanical survey.

f. Policy (8):

Pursue compatible relationships among activities, facilities, and natural resources.

*The Project is not consistent with this policy because once the forest is gone and the terrain leveled there are no natural resources left to be compatible with. From the DEIS response to this statement "The passive nature of these activities would not impact Petition Area natural resources" it is clear that once the terrain is leveled and the forest and large trees gone that the manicured grass of the cemetery, which is the Petition Area, is considered the new natural resource.*

Response: The project is consistent with this policy as discussed in the DEIS because the intent is to encourage compatible relationships between natural resources and proposed activities and facilities. As discussed under the responses to comments concerning Policies 1 to 4, the proposed project reflects efforts to ensure a compatible relationship with natural resources present. The project includes: 1) the prudent use of this site and resources reflecting actions proposed with care and thought for the future; 2) is a



compatible land-based activity being an expansion of the existing HMP cemetery; 3) taking into account the site's physical attributes in the preliminary design of proposed improvements to minimize effects; and 4) encourages beneficial and multiple use of the site in a manner that does not generate costly or irreparable environmental damage based upon the DEIS analysis. The Cultural Preserve and other areas being preserved and protected (e.g. seep), along with drainage improvements supporting the affected watershed area, reflect natural resources remaining within the Petition Area. As discussed in this DEIS section on policies, activities occurring in the Petition Area after project implementation will be compatible with surrounding area natural resources. Activities occurring are passive and involve visitation of gravesites and passive recreational use (walking) of the area by the public. These activities are not expected to adversely impact Petition Area characteristics and will be compatible with surrounding natural resources. That discussion does not state the cemetery expansion would be the "new natural resource."

67. Responses addressing comments on policies in §226-12(b) are provided.

a. Policy (1):

Promote the preservation and restoration of significant natural and historic resources.

*The project is not consistent with this policy because the objective of the project is not to preserve, restore or work with the natural resources but to destroy them by reducing slopes of 50% to 20% or less, removing 470,960 cubic yards of soil and rock, reducing hillsides to 40 and 100 feet and cutting down trees and shrubs that make up the forest watershed.*

*The project does recognize the importance of the heiau and cultural sites and will create a Cultural Preserve to protect the features and integrity of the area.*

Response: The project is consistent with this policy as grading and grubbing activities would not result in the destruction of significant natural and historic resources based upon the analysis of the DEIS (e.g. Sections 3.3, 3.6, 3.7, 4.1, etc.). This policy addresses significant natural resources, and subsequently all natural resources do not require preservation, which is unreasonable. Grading activities will alter the site's topography and vegetation, but there are no significant topographic conditions or botanical resources requiring preservation. As discussed in Section 3.3, the site consists of an alien forest that is not a significant resource. Significant resources, such as the seep, are being preserved, and the Cultural Preserve would preserve the Kawa'ewa'e Heiau and support its restoration and management. Other significant historic sites are being preserved, and less important sites would have data recovery to better understand, characterize, and document them. We concur with your comment that the project recognizes the importance of the heiau and cultural sites, and that the Cultural Preserve will protect the features and integrity of the area. Mitigative measures proposed would ensure that grading and grubbing activities do not adversely impact natural resources.

b. Policy (2):

Provide incentives to maintain and enhance historic, cultural, and scenic amenities.

*The project is not consistent with this policy because even though HMP touts the importance of creating the Cultural Preserve to protect the heiau and archeological and cultural sites including entering into a Conservation Easement with two non-profits HMB will not provide incentives to maintain and/or enhance historic and cultural sites. According to the DEIS this policy as not applicable.*

Response: This policy was initially listed as "Not Applicable" in the DEIS because the Petitioner is not required to provide incentives to maintain or enhance the historic or cultural sites associated with the Petition Area. The Petitioner is preserving historic and cultural sites within the Cultural Preserve as you state. Nevertheless, the FEIS includes a revision to this policy to reflect the project's consistency given our reevaluation, and the revised page is provided as an attachment to this response. The Petitioner is providing forms of incentives to the Ko'olaupoko Hawaiian Civic Club to support maintaining, restoring, and enhancing historic and cultural sites through creation of the Cultural Preserve as discussed in Section 2.2.4. The Preserve supports these efforts by allowing the organization to conduct cultural practices that would support stewardship of the area and educational activities.

c. Policy (3):

Promote the preservation of views and vistas to enhance the visual and aesthetic enjoyment of mountains, ocean, scenic landscapes, and other natural features.

*The project is not consistent with this policy because in order to obtain a level manicured lawn for cemetery plots the project will cut down unknown acres of a mature forest with large tree canopy, cut existing slopes from 50% to 20% or below and reduce hillsides to 40 and 100 feet.*

*Instead of promoting and enhancing views, vistas, scenic landscapes and the natural features of this area this project will drastically change the natural topography and natural scenic landscape.*

Response: The proposed project is consistent with this policy as discussed in the DEIS and the visual impact assessment results in Section 4.7. Although the proposed project will alter the Petition Area from grading activities to establish site conditions needed for cemetery use of the area, this change in character would not result in adverse impacts to scenic views or important viewing locations. The landscaped and open space character of the expanded cemetery would complement the existing HMP and Hawai'i State Veterans Cemetery present within the backdrop of the larger Oneawa hillside. The landscaped open space view is similar to other existing surrounding uses such as the Pali Golf Course and Ko'olau Golf Club. Additionally, existing dense vegetation and tall trees would be maintained, particularly along the hillside of the Hawai'i State Veterans Cemetery, which would screen of views of the expanded cemetery area.

d. Policy (4):

Protect those special areas, structures, and elements that are an integral and functional part of Hawai'i's ethnic and cultural heritage.

*The project is not consistent with this policy because while the DEIS discusses the importance of creating a Cultural Preserve one of the proposed alternatives in the DEIS was to eliminate the Cultural Preserve. This alternative was not pursued.*

Response: The purpose for this section is to discuss the project's (Proposed Action) consistency with this policy, and the DEIS explains why the project is consistent. Your comment stating the project is not consistent with this policy is referencing an alternative that was eliminated from further consideration, and is subsequently not applicable to the purpose of this section.

e. Policy (5):

Encourage the design of developments and activities that complement the natural beauty of the islands.

*The project is not consistent with this policy because it does not complement or develop in harmony with the natural beauty of the area but will destroy the natural beauty by drastically changing the topography by reducing slopes of 50% to 20% or less, excavating hillsides down to 40 an 100 feet, cut down unknown acres of forest watershed, and remove 470,960 cubic yards of soil and rock.*

Response: The project is consistent with this policy because preliminary plans have been designed to allow the cemetery expansion to complement the natural beauty of the surrounding area and island. It is noted that the policy is to “encourage” the “design” of development and activities, and does not mandate that all development must be designed in a certain manner. Although grading activities would inevitably alter the proposed cemetery expansion area, the project site has been designed to complement the visual characteristics of the surrounding area. As shown on Figure 2.2, large vegetated buffer areas would be retained between the cemetery expansion and existing residences. As already discussed, the landscaped open space character of the expanded cemetery complements the visual character of HMP and the Hawai'i State Veterans Cemetery. Existing dense vegetation and tall trees maintained along the hillside of the Hawai'i State Veterans Cemetery property shields views of the expanded cemetery area. Therefore, the project meets the intent of this policy that encourages design to complement the natural beauty of the area.

68. HRS §226-13(a) Objectives and policies for the physical environment – land, air, and water quality Objective (1):

Maintenance and pursuit of improved quality in Hawai'i's land, air, and water resources.

*The project is not consistent with this objective because the removal of 470,960 cubic yards of soil, changing a sloping topography with 50% slopes to 20% or less, removing large mature trees and shrubs that make up the natural forest will not improve the natural landscape but destroy it. The forest is a watershed and cutting it down will reduce ground water percolation, increase storm water runoff and negatively impact surface water.*

Response: The project is consistent with this objective because the grading plan and drainage improvements proposed would improve management of storm water runoff generated from this site. There would be a beneficial effect on water quality and potential flooding. Your assertion that grubbing and grading improvements would result in a reduction in stormwater percolation, increase runoff, and cause negative impacts to surface water resources is not correct based upon the DEIS and its studies. Grading improvements would not “destroy” the natural landscape as you assert. Response 66.c. discusses how the project would actually reduce storm water runoff and improve water quality. Reducing the steepness of the hillside would improve drainage conditions by reducing runoff volumes and velocity, increasing infiltration, and reducing erosion.

69. HRS §226-25 Objectives and policies for socio-cultural advancement – culture Policies (1):

Foster increased knowledge and understanding of Hawai'i's ethnic and cultural heritages and the history of Hawai'i.

*The Project does not seem to be consistent with this policy because according to the DEIS the preservation plan...may allow for culturally oriented educational programs in the Preserve. Thus there is no assurance that there will be opportunities to increase knowledge and understanding of the cultural and archaeological importance and history of sites within the Preserve. In*

*addition, the Cultural Preserve will only be open to authorized guests thus limiting the educational value of the site to only those invited by selected organizations.*

Response: The project would be consistent with this Objective of the HSPA. The Ko'olaupoko Hawaiian Civic Club's stewardship, management, and restoration of historic sites in the Cultural Preserve would increase the knowledge of native Hawaiian cultural heritage and history for civic club members along with other organizations, cultural practitioners, and persons participating in cultural activities. The FEIS includes this additional information on the project's consistency with this policy, and we have included the revised section as an attachment to this letter. The Preservation Plan has not yet been developed, and therefore, specifics of various provisions like having culturally oriented educational programs have not been determined. It is appropriate for the DEIS to indicate this Plan may allow for such programs. Just because the Preservation Plan may, as opposed to will, include educational programs does not make the project inconsistent with this policy. Finally, the project supports this policy regardless of whether the Preserve is or is not publically accessible. Even though only the civic club, other organizations, and cultural practitioners are allowed to participate in cultural practices on this privately-owned property, such activities still foster increased knowledge and understanding of culture.

70. Responses addressing comments on guidelines under §226-104(b) are provided.

a. Guideline (1):

Encourage urban growth primarily to existing urban areas where adequate public facilities are already available or can be provided with reasonable public expenditures, and away from areas where other important benefits are present, such as protection of important agricultural land or preservation of lifestyles.

*The Project is not consistent with this guideline because the area is bordered only on one side by urban development and is in the Conservation District.*

Response: The project is consistent with this guideline because it just "encourages" urban growth primarily to existing urban areas. Furthermore, the project site is consistent with the City's sustainable communities plan that designates this project area for urban expansion within the Community Growth Boundary. Being within the Conservation District does not render the project immediately inconsistent with this priority guideline since the guideline does not refer to State land use districts. In addition to the Pikoiloa neighborhood, the Petition Area is also adjacent to other urban areas consisting of the present HMP and Hawai'i Veterans Cemetery. It should be noted that the HC&D Kapa'a Quarry providing aggregates and concrete mix is located on the other side of the Oneawa hillside. Associated transportation facilities make the site a suitable location consistent with this guideline. Other public facilities, such as water lines, are available and already serve HMP and the Hawai'i Veterans Cemetery. No public expenditures would be required for infrastructure facilities.

b. Guideline (2):

Make available marginal or nonessential agricultural lands for appropriate urban uses while maintaining agricultural lands of importance in the agricultural district.

*The Project is not consistent with this guideline because the land is in the Conservation District and not the Agriculture District.*

Response: The project is consistent with this guideline as discussed in the DEIS. The guideline concerns making marginal or nonessential agricultural lands available for urban uses while maintaining agricultural lands of importance. This is addressed in the DEIS.

Whether a property is within the Conservation District is not relevant to the intent of this guideline, which addresses agricultural lands.

c. Guideline (9):

Direct future urban development away from critical environmental areas or impose mitigating measures so that negative impacts on the environment would be minimized.

*The Project is not consistent with this guideline because the cemetery expansion will turn State designated Conservation land from a sloping forested watershed into a manipulated man created manicured landscape.*

*It is impossible to determine whether the Project is totally consistent with this guideline because design plans and mitigative measures for the various activities – soil and rock removal, land excavation, tree and shrub removal etc. were not in the DEIS so it is impossible to determine if the mitigative measures would minimize negative impacts.*

Response: The project is consistent with this guideline because cemetery expansion within the Petition Area does not include critical environmental areas. As discussed in the DEIS and prior responses, the site consists of an alien forest, and the watershed and drainage conditions would be improved with the project (e.g. reduced runoff volumes, velocity, increased infiltration, improved water quality). The seep area would be preserved along with other areas serving as a vegetated buffer from existing residences. Although grading activities would alter the Petition Area, various measures are proposed to avoid or minimize adverse environmental impacts from short-term construction activities, and other mitigative measures (e.g. BMPs) are identified. Such efforts are consistent with this guideline to minimize negative impacts on the environment. Even though the site is within the Conservation District, the project is consistent with the City's sustainable communities plan that designates this area for urban expansion within the Community Growth Boundary. Furthermore, as discussed in Section 6.1, the property is only within the Conservation District due to changes in the regulations. The City's 1964 Detailed Land Use Map originally designated this area for residential, low density apartment, and a portion for agricultural use. Under the initial creation of Conservation Districts, there were only two subzones consisting of General Use and Restricted Watershed. This property was included under General Use that allowed a wide variety of urban uses, such as resort and related residences, restaurants, and recreational facilities. Thus, the Conservation District designation is not relevant to the project's consistency with this guideline.

As discussed in response Nos. 4 and 18, the DEIS included sufficient project information and details to determine whether the project is consistent with this guideline.

Information in the various sections of the DEIS adequately address the character of the Petition Area and determine that critical environmental areas would not be significantly impacted by construction activities. Section 2.2.2 discusses preliminary grading plans that include construction methods, figures, exhibits, and BMPs. This information addresses soil and rock removal, excavation activities, and vegetation removal. Mitigative measures proposed would adequately address significant impacts as discussed in DEIS sections.

d. Guideline (10):

Identify critical environmental areas in Hawai'i to include but not be limited to the following: watershed and recharge areas; wildlife habitats (on land and in the ocean); areas with endangered species of plants and wildlife; natural streams and water bodies; scenic and recreational shoreline resources; open space and natural areas; historic and cultural sites; areas particularly sensitive to reduction in water and air quality; and scenic resources.

*The forested area is a watershed and recharge area with the trees providing habitat for the federally listed Blackline Hawaiian Damselfly and the state listed as endangered Oahu Pue`o and hoary bat. Cutting down unknown number of mature trees will negatively impact the habitat of the Blackline Hawaiian damselfly, the Oahu Pueo and the hoary bat. Removing 470,960 cubic yards of soil and rock, and changing the topography from hills with lush vegetation to manicured lawn diminishes the watershed and recharge areas and value and takes away the natural filtering system thus making Kawa Stream and other water bodies more vulnerable to negative impacts from erosion and storm water runoff.*

Response: The project would be consistent with this guideline that specifies identifying critical environmental areas in Hawai'i. The DEIS identified important or potentially critical environmental areas affected by the project. There are no designated critical habitat or other critical environmental areas within the Petition Area. The DEIS identified the presence of the endangered blackline Hawaiian damselfly and the associated seep serving as important habitat that would be preserved. However, the larger forested area of the Petition Area comprised mainly of introduced plant species does not serve as habitat for the damselfly, which is water dependent, as you suggest. Their habitat is confined to the water flow within the seep and immediate surrounding area along this seep. It does not extend to the broader areas of the Petition Area. As already discussed in prior responses, the Petition Area does not serve as nesting or foraging habitat for the Pue`o. Consistent with this guideline, the DEIS identified the hoary bat as a species that may utilize this area along with other similar undeveloped areas within the larger windward region. Therefore, the Petition Area is not unique or a critical environmental area for the hoary bat. As discussed in prior responses and addressed in Sections 3.4 and 3.5 of the DEIS, grading activities would not negatively impact the Pue`o or hoary bat. The seep area would be preserved and existing vegetation there would not be altered by grading activities. Kāwā Stream and the watershed serving the Petition Area are not critical environmental areas based upon the DEIS and included technical studies. Sections 3.6 to 3.8 of the DEIS address the proposed project's effect on the watershed and groundwater, surface waters, and water quality. As explained in prior responses, the project would improve the water quality of Kāwā Stream and existing drainage conditions serving this watershed. The cemetery expansion would improve stormwater infiltration and detain storm water runoff based upon the DEIS as opposed to diminishing recharge areas and reducing natural filtering system as you suggest.

e. Guideline (12):

Utilize Hawai'i's limited land resources wisely, providing adequate land to accommodate projected population and economic growth needs while ensuring the protection of the environment and the availability of the shoreline, conservation lands, and other limited resources for future generations.

*The Project is not consistent with this guideline because the project seeks to remove almost 54 acres of forested watershed from the Conservation District and place the land in the Urban District.*

Response: The project is consistent with this guideline because proposed plans would utilize the Petition Area's resources wisely and include a land use supporting projected population growth. BMPs and other minimization and mitigative measures proposed would also ensure protection of the environment. As discussed in Section 2.1 of the DEIS, the project is needed because demand for burial space is expected to exceed the existing number of burial plots available given the increased mortality rate of O'ahu's population

attributable to its growing and aging population. Your concern with reclassifying the Petition Area's State land use district designation from Conservation to Urban District is not pertinent to the guideline, which concerns the utilization of land resources wisely. Therefore, it is the land use and activities proposed that should be more appropriately evaluated as opposed to an entitlement process, and the DEIS addresses this guideline. As discussed in Chapter 2, the proposed project's proposed use of this land for cemetery expansion, establishment of a Cultural Preserve, and implementing a conservation easement reflect a wise use of the resource and ensure protection of the environment for future generations.

f. Guideline (13):

Protect and enhance Hawai'i's shoreline, open spaces, and scenic resources.

*The Project is not consistent with this guideline because removal of 470,960 cubic yards of soil and rock, reducing slopes off 50% to 20% or less, excavating hillsides to 40 and 100 feet, cutting down mature trees and shrubs that make up this watershed area does not protect the existing view plain and will eliminate the scenic value of this natural environment.*

Response: The project is consistent with this guideline based upon the results of the analysis and assessments included in the DEIS. Although the proposed project will alter existing characteristics of the Petition Area's alien forest, adverse impacts to the visual character of landscape surrounding the Petition Area are not anticipated. This determination was reached as a result of the visual impact analysis that assessed the existing open space character of this area. As discussed in a prior response, Figure 2.2 shows large vegetated buffer areas being retained between the cemetery expansion and existing residences, and the landscaped open space character of the expanded cemetery complements the visual character of HMP and the Hawai'i State Veterans Cemetery. Existing dense vegetation and tall trees maintained along the hillside of the Hawai'i State Veterans Cemetery property shields views of the expanded cemetery area. These changes in character would not result in adverse impacts to scenic views or important viewing locations, and the landscaped open space view is similar to other existing surrounding uses such as the Pali Golf Course and Ko'olau Golf Club.

71. Responses addressing comments on guidelines under §226-108 are provided.

a. Guideline (1):

Encouraging balanced economic, social, community, and environmental priorities

*The Project is not consistent with this guideline because in order to create additional burial space approximately 54 acres steep terrain and forested watershed will be lost.*

Response: The project is consistent with this guideline because improvements achieve a balance between the need to develop additional burial space and the need to sustain Petition Area natural resources. The proposed project addresses an anticipated shortfall in burial space that would result in significant social issues for O'ahu families as their capacity to engage in memorialization activities for deceased families members would be limited and costly. It should be clarified that the existing watershed would not be "lost" by the project, but would be improved due to increased stormwater infiltration, reduced runoff volume and velocity, and reduced erosion. Reducing portions of the steep hillside as part of the cemetery expansion plans reflect a balanced project design given existing environmental conditions.

b. Guideline (2):

Encouraging planning that respects and promotes living within the natural resources and limits of the State

*The Project is not consistent with this guideline because changing natural watershed terrain by reducing slopes from 50% to 20% or less, removing vegetation that creates the watershed, removing unknown number of mature trees that provide habitat for the federally listed Blackline Hawaiian Damselfly, state listed Pue`o and hoary bat and changing a natural terrain into manicured grass does not promote living within the natural resources of the area.*

Response: The project is consistent with this guideline because improvements do reflect planning that respects and promotes living within the natural resources of the area. This guideline does not mandate that no changes to the environment occur in order to allow for living within natural resources. As discussed in Chapter 2, the proposed project's use of this land for cemetery expansion, establishment of a Cultural Preserve, and implementing a conservation easement reflect proper planning for the wise use of the resource and ensure protection of the environment for future generations. Existing natural resources were considered and accommodated in the preliminary design and grading plans to ensure that the project is compatible with and respects these resources. Various BMPs, minimization, and mitigative measures to avoid adverse impacts to these natural resources were addressed in the DEIS to ensure compatibility with these resources. The seep area supporting the damselfly would be preserved; the Pue`o does not nest or forage within the Petition Area; and proposed mitigation measures would avoid impacting the hoary bat. Prior responses address your concern with the watershed, topographic changes, and botanical changes to the existing alien forest.

c. Guideline (10):

Encourage planning and management of the natural and built environments that effectively integrate climate change policy.

*The Project is not consistent with this guideline because it is backwards. Instead of cutting down mature trees and vegetation this watershed area should be left alone to absorb pollutants, help cool the atmosphere and encourage more rain.*

Response: We note this comment is actually referencing §226-109 (climate change), guideline No. 10 as opposed to §226-108. As discussed in that section of the DEIS, the project would be consistent with this guideline because policy guidance regarding the effects of climate change was considered in the project's planning and evaluation of impacts as addressed in Section 3.2.5. This guideline is not intended to prevent any change to the natural or built environment. The Petition Area would not be affected by sea level rise, and the U.S. Global Change Research Program indicates areas of Hawai'i may receive heavier rainfall due to climate change. Grading improvements would reduce storm water runoff volumes, velocity, erosion, and increase stormwater infiltration, detention, and therefore improves water quality to alleviate adverse impacts from heavy rains associated with climate change. Such minor project changes to this area would have no noticeable effect on cooling the atmosphere or encouraging more rain.



72. Responses addressing comments on Conservation Land Functional Plan, Objective 11B, Policy 11B(1) are provided.

Policy 11B(1):

Develop protection and preservation of habitats of rare and endangered wildlife and native ecosystems in Hawai'i

- a. *While the DEIS states that a seep on the property offers the federally listed Blackline Hawaiian Damselfly habitat there is nothing in the DEIS to ensure the survival or protection of this endangered species.*

Response: The project's consistency with this policy is appropriately addressed in this section of the DEIS. Existing site conditions in the area of the seep would not be altered by grading activities and would subsequently be preserved. Section 3.5.2 of the DEIS identifies measures to minimize effects and avoid significant impacts to the seep and damselfly habitat ensuring the species survival and protection in this area. Such measures include addressing short-term construction-related effects and long-term measures.

- b. *The DEIS does not offer mitigation measures such as placing fencing around critical habitat and the creation of a Blackline Hawaiian DamselFly Long Term Habitat Protection and Construction Avoidance Plan. Severe changes to topography and forested areas leave the Damselfly vulnerable to increased erosion, increased storm water runoff, and water contamination from increased use of fertilizers and pesticides.*

Response: Your comment incorrectly states mitigation in the form of protective fencing around the damselfly habitat was not offered in the DEIS. This specific mitigative measure is proposed in Section 3.5.2. There is no such established "Long-Term Habitat Protection and Construction Avoidance Plan" as you suggest. The need for such a plan is not required or necessary. The measures proposed under Section 3.5.2 would ensure the seep and damselfly habitat are preserved. Grading plans would not leave the damselfly vulnerable because the area around the seep would be preserved. As discussed, the damselfly does not occur in other forested areas of the Petition Area, and would not be affected by grading in those areas. Site grading and drainage improvements would decrease erosion and improve water quality due to increased stormwater infiltration, etc. The cemetery does not use fertilizer or pesticides. Thus, such chemicals would not adversely impact the seep.

- c. *Presently the land is designated Conservation, is a watershed with a forested tree canopy that offers habitat for the State listed Pue`o and hoary bat. Removing the land from the Conservation District and placing it in the Urban District leaves the endangered species and the land vulnerable to future development. While HMP has agreed to place a Conservation Easement over the property the agreement can be fixed for a number of years and there is nothing to ensure that the Conservation Easement will not be changed.*

Response: As discussed, the alien forest of the Petition Area does not contain habitat for the Pue`o, and measures have been addressed to minimize and avoid impacting the hoary bat. Redistricting the Petition Area from the Conservation District to the Urban district would not leave endangered species and the land vulnerable to future development. No other development aside from that discussed in the DEIS is being proposed, and the proposed Conservation Easement would ensure no other future development would occur. It is incorrect that a conservation easement can be fixed for a number of years and later modified. As indicated in Chapter 198, Conservation Easements, Hawai'i Revised Statutes, this legal agreement is perpetual in duration.

Therefore, the conservation easement established between the Petitioner and the Hawaiian Islands Land Trust would perpetually restrict other future development within the Petition Area.

73. Responses addressing comments on LUC's standards for Urban District boundaries are provided. In summary, the project does meet the standards you have identified.

a. HRS §15-15-18 (1):

It shall include lands characterized by "city-like" concentrations of people, structures, streets, urban level of services and other related land uses

*The petition area is not "city-like" it consists of steep slopes and densely forested hills. While adjacent property has "concentrations of people" they are dead people who do not need structures, streets or services.*

Response: Your interpretation of the term "city-like" in relation to the project site is not correct. The Standard No. 1 criteria for Urban District boundaries states that it shall "include lands characterized by "city-like" concentrations of people, structures, streets, urban level of services and other related land uses." It is important to note the reference to lands "characterized" by city-like concentrations of people, streets, along with "other related land uses." Cemetery uses are only allowable within the Urban District, and the adjacent HMP and Hawai'i Veterans Cemetery are within the Urban District and consist of other related land uses. As discussed in the DEIS, there are existing roadways serving these cemeteries, other urban services in the Kāne'ōhe area, and existing residences located below the Petition Area. The City's sustainable communities plan also designates this project area for urban expansion within the Community Growth Boundary. We believe your reference to "dead people" regarding concentrations of people is inappropriate and insensitive to the many families who have members memorialized at the Veterans and HMP cemeteries. The criteria does not limit concentrations of people to mean just those living in an area, and thus includes activities occurring for a wide variety of land uses.

b. HRS §15-15-18 (2):

It shall take into consideration the following specific factors:

- (A) Proximity to centers of trading and employment except where the development would generate new centers of trading and employment;
- (B) Availability of basic services such as schools, parks, wastewater systems, solid waste disposal, drainage, water, transportation systems, public utilities, and police and fire protection; and
- (C) Sufficient reserve areas for foreseeable urban growth

*While the petition area is close to centers of trading and employment, basic services - parks, schools etc. the people at the cemetery will not use these services.*

*Since Koolaupoko population projections indicate a declining population between 2010 and 2035 there are sufficient reserve areas for urban growth.*

Response: Unfortunately, your interpretation of this standard is not correct because the review criteria for areas proposed for reclassification are not based upon whether persons from new development would use services such as schools or parks. The three factors identified under Standard No. 2 are intended to evaluate whether areas proposed for the Urban District are proximate to infrastructure, public facilities and services, and centers of trading and

employment. Furthermore, criteria (2)(C) includes sufficient reserve areas for foreseeable urban growth. The project area is designated for urban expansion within the Community Growth Boundary by the City's sustainable communities plan, and meets and is consistent with this criteria. It should be clarified that Exhibit 4.16 of the DEIS shows an 11.4% population growth projected by 2035 for the Ko'olaupoko development plan area, and not a decrease as you state. Furthermore, the cemetery expansion would serve families of the entire State of Hawai'i and primarily the Island of O'ahu. Section 2.1 discussed the need and projected demand for more burial space needed in the future.

c. HRS §15-15-18 (3):

It shall include lands with satisfactory topography, drainage, and reasonably free from the danger of any flood, tsunami, unstable soil condition, and other adverse environmental effects.

*The petition lands does not meet this criteria because the land is steep with 50% slopes and is a densely forested hillside.*

Response: The project is consistent with Standard No. 3 for the reasons discussed in Section 6.1.1 of the DEIS. Only certain portions of the Petition Area have steeper slopes, and this condition alone does not make the project inconsistent with this criteria. The criteria states "lands with satisfactory topography" and the overall Petition Area has satisfactory topography to implement the cemetery improvements proposed. Existing site slopes would be graded to provide slopes no greater than 20% to establish topographic conditions suitable for cemetery use. This change would improve site conditions reducing storm water runoff volume and velocity, increase infiltration and detention, and decrease potential downstream flooding. The characteristic of the Petition Area's vegetation you refer to as "densely forested hillside" is also not relevant to this criteria, which are more associated with conditions associated with natural hazards.

d. HRS §15-15-18 (4):

Land contiguous with existing urban areas shall be given more consideration than non-contiguous land, and particularly when indicated for future urban use on state or county general plans.

*The petition area does not meet this criteria because it is only contiguous with an urban use - housing on one side. Boundaries around most of the land abut conservation- designated land.*

Response: The project is consistent with Standard No. 4 as discussed in DEIS Section 6.1.1. In addition to being contiguous to the Pikoiloa subdivision on the north to northwest side of the Petition Area, it is also contiguous to the Ocean View Garden cemetery on the southwest side as shown on Figure 6.1 and discussed in the DEIS. This standard does not specify that properties being considered must be surrounded by Urban District lands on all sides. The existing HMP cemetery is an urban use that is required to be within Urban District designated areas. It is also noted that this standard applies to land "indicated for future urban use on state or county general plans," which the Petition Area is.

e. HRS §15-15-18 (5):

It shall include lands in appropriate locations for new urban concentrations and shall give consideration to areas of urban growth as shown on state and county general plans.

*While the Koolaupoko Sustainable Communities Plan Community Growth Boundary was expanded to include 53-acres that decision was made without the guidance of an EIS by which a decision-maker could effectively evaluate the environmental impacts of changing conservation land to urban and make an informed decision.*

Response: This comment is irrelevant to the discussion of the project's consistency with this Standard 5 criteria. Per Ordinance 17-42 adopting the Ko'olau Poko Sustainable Communities Plan, Section 24-6.7 identifies when environmental reviews under Chapter 343, HRS are required. An EIS is not required as a condition to update a sustainable communities plan. The addition of the project area to the Community Growth Boundary by the adopted sustainable communities plan did not change the property from Conservation District to Urban District. It identified where urban expansion could occur, and this DEIS now addresses the project's effects as part of a Petition to the LUC. Furthermore, an FEIS was already completed in 2008 for cemetery expansion of HMP, which included a more expansive development proposal than what is presently proposed under this Petition.

f. HRS §15-15-18 (6):

It may include lands which do not conform to the standards in paragraphs (1) and (5):

(A) When surrounded by or adjacent to existing urban development

(B) Only when those lands represent a minor portion of this district;

*The land does not meet this criterion because it is adjacent to housing only on one side and surrounded by conservation land.*

Response: The project is consistent with Standard 6 because the proposed project is consistent with Urban District boundary standards 1 and 5 as already discussed. Previous responses address that being "adjacent to housing only on one side" is not the only factor considered by these review standards.

g. HRS §15-15-18 (8):

It may include lands with a general slope of 20 per cent or more if the commission finds that those land area desirable and suitable for urban purposes and that the design and construction controls, as adopted by any federal, state, or county agency, are adequate to protect the public health, welfare and safety, and the public's interests in the aesthetic quality of the landscape.

*The petition lands do not meet this criteria because the slopes are 50% and greater, the area is heavily forested and fulfills the important function as a watershed and recharge area and would require an enormous amount of earth moving, land manipulation and soil and dirt removal.*

Response: The proposed project is consistent with Standard No. 8 because the criteria states that areas may include lands "with a general slope of 20 per cent or more" and the project does have existing slope conditions 50% or greater within the Petition Area. This criteria states it is up to the commission to determine whether this Petition Area is desirable and suitable for urban purposes. The DEIS addresses how the project is desirable to meet a significant community need and is suitable from an environmental perspective to allow an expansion of the cemetery and establishment of a Cultural Preserve. The proposed project's preliminary design plans reflect measures to protect the public health, welfare and safety, and the aesthetic

quality of the landscape. Sufficient design measures and BMPs are discussed to provide construction controls to minimize short-term effects on the environment. As discussed, site conditions with the proposed project would reduce storm water runoff volume and velocity, increase infiltration and detention, and decrease potential downstream flooding. Prior responses address your concerns with effects on the existing alien forest, explaining that the proposed project would improve the watershed and recharge (improved infiltration), and measures have been incorporated to address grading activities.

74. HRS §344-3 (1):

Conserve the natural resources, so that land, water, mineral, visual, air and other natural resources are protected by controlling pollution, by preserving or augmenting natural resources, and by safeguarding the State's unique natural environmental characteristics in a manner which will foster and promote the general welfare, create and maintain conditions under which humanity and nature can exist in productive harmony, and fulfill the social, economic, and other requirements for the people of Hawai'i.

*Currently designated Conservation the land meets this policy by conserving and protecting the natural resources of this watershed and hillside.*

Response: The DEIS appropriately addresses how the project would be consistent with this environmental policy (§344-3) by protecting certain resources (e.g. seep) and controlling pollution (e.g. BMPs) while fulfilling social and economic requirements for the benefit of the public. It discusses drainage improvements, compliance with regulations, measures to minimize impacts, and measures to mitigate impacts (e.g. BMPs). Project implementation would support the protection and conservation of the Petition Area's natural resources that include associated surface water resources and endangered species. In this manner, the project fosters conditions where the social needs of Hawai'i residents can exist in productive harmony with nature.

75. Responses addressing comments on §344-4 Guidelines are provided.

a. Guideline (2)(D):

Encourage management practices which conserve and protect watersheds and water resources, forest, and open space areas.

*The Project seeks to change the current State designation from the Conservation District to the Urban District. This land use change defeats the purpose of this guideline to conserve and protect watersheds, forests and open spaces.*

*The Project will cut down the existing forest, reduce the land from 50% slopes to 20% slope or less, and cut down the hills to 40 and 100 feet thus violating this guideline.*

Response: The project is consistent with §344-4, Guideline 2 encouraging management practices that conserve and protect watersheds and water resources. Redistricting the Petition Area from the Conservation District to the Urban District is a land use entitlement process matter that does not defeat the purpose of this guideline. The guideline encourages "management practices" and the DEIS includes several elements supporting such management practices. Just because grading activities would alter the present topography and soils for the cemetery's expansion does not mean management practices were not "encouraged" to meet this guideline. Such practices include grading plans that have incorporated various design elements to improve the watershed through increased stormwater infiltration, preserving important areas (e.g. seep), and proposing various BMPs to address short-term construction effects. The Cultural Preserve allows

conservation of that site with stewardship supporting native Hawaiian cultural practices, and the conservation easement would ensure the conservation of other resources and areas within that property. These examples reflect beneficial management practices of the Petition Area consistent with this guideline. Grading activities and project improvements (cemetery with landscaped grass, detention basins) would increase stormwater infiltration and enhance the Petition Area's watershed functions as discussed in Section 3.7 of the DEIS. Water resources would not be significantly impacted, and drainage plans would improve water quality by reducing storm water runoff discharges and erosion. Other DEIS sections addressed the botanical characteristics (alien forest) of the Petition Area not being significantly impacted along with the site's open space character.

b. Guideline (3)(A):

Protect endangered species of indigenous plants and animals and introduce new plants or animals only upon assurance of negligible ecological hazard.

*The Project does not protect the federally listed Blackline Hawaiian Damselfly, the State listed Pue`o, the hoary bat or the numerous indigenous and endemic plants on the land. Instead the project will cut down unknown number of acres of forest and trees and reshape the hilly topography to create a relatively flat area thus impacting the habitat of these endangered species.*

Response: The proposed project is consistent with §344-4, Guideline 3 based upon the analysis within the DEIS and prior responses to comments associated with endangered species. The area of the seep would be preserved protecting the Blackline Hawaiian damselfly, and fencing is proposed to keep pigs out of the area that are presently impacting the seep as discussed in Section 3.5 of the DEIS. In addition, measures are proposed to ensure earthmoving activities do not impact the seep, consisting of the installation of subdrains within the fill area upslope of the seep supporting continued conveyance of subsurface water to the seep. As discussed, the Petition Area does not provide foraging or nesting habitat for the Pue'ō. Standard accepted measures were identified to minimize and avoid impacting the hoary bat during construction, if they are present. No endangered plants were found within the alien forest within the Petition Area, and the Cultural Preserve would provide opportunities to restore the cultural landscape with native plants.

c. Guideline (10)(B):

Provide for expanding citizen participation in the decision making process so it continually embraces more citizens and more issues.

*With presentations given only to two organizations Kane`ohe Neighborhood Board and the Ko`olaupoko Hawaiian Civic Club, which is a co-signer on the Conservation Easement and will be the curator for the Cultural Preserve, it is obvious that citizen participation was not expanded to include others who are interested in this project.*

Response: The project is consistent with Guideline 10. The DEIS documents that three presentations were provided in 2017 to the Kāne'ōhe Neighborhood Board (KNB) on May 18, July 20, and August 17. These meetings were accessible to all citizens interested in the project, and provide an avenue for citizen participation. Chapter 8 documents the publication of the EIS Preparation Notice and DEIS for public review. Other efforts have also been conducted since publication of the DEIS to obtain public comments. A presentation to the KNB was provided during the Board's October 18, 2018 meeting, and

a presentation was given to residents of the Pohai Nani Good Samaritan Retirement Community on October 20, 2018.

76. Ko'olau Poko sustainable Communities Plan (SCP)

*It is unfortunate that the SCP Community Urban Boundary was changed prior to conducting an EIS. An EIS would have given decision-makers the opportunity to make an informed decision about the impacts on the environment, ecology, ground and surface water and endangered species of moving the Community Urban Boundary to allow cutting down a forest and replacing it with manicured grass.*

*Nothing on the land has changed. The terrain is still steep, the forest canopy is still dense, the trees are still tall offering habitat to endangered species and the forest is still a watershed. The same issues exist. Only a line on a plan was changed to allow development.*

Response: As previously noted, per Ordinance 17-42 adopting the Ko'olau Poko Sustainable Communities Plan, Section 24-6.7 identifies when environmental reviews under Chapter 343, HRS are required. An EIS is not required as a condition to update a sustainable communities plan. Furthermore, an FEIS was already completed in 2008 for cemetery expansion of HMP that addressed impacts on the environment, and included a more expansive development proposal than what is presently proposed under this Petition. The City DPP's Development Plan and Sustainable Communities Plan (SCP) amendment application guidance states an EIS is not required as a condition to amend an SCP. The SCP process that provides for a Directors Report and Recommendation submitted by the City DPP to the Planning Commission and City Council allows decision makers to make an informed decision on proposed amendments. The DEIS published for this project includes updated information on the Petition Area and additional analysis and evaluation of the project.

Thank you for providing us with your comments on the DEIS and participating in this process. If you have any questions, please contact me at 457-3158 or sezer@hhf.com.

Sincerely,



Scott Ezer, Principal

cc: Mr. Jay Morford, Hawaiian Memorial Life Plan, Ltd.

# ATTACHMENTS - FINAL EIS REVISIONS

## HAWAII'S THOUSAND FRIENDS - COMMENT 7

Grading improvements would not adversely impact or alter the Blackline Hawaiian Damsselfly seep habitat located in the northwestern corner of the Petition Area ~~that provides habitat for Blackline Hawaiian Damsselfly~~ due to avoidance and proposed minimization measures. This damsselfly habitat would be avoided ~~preserved~~, and would not be impacted by grading activities. As discussed in Section 3.6, design measures would be incorporated into grading plans to minimize fill effects on the well spring and seep serving this damsselfly habitat. ~~Project improvements are not expected to adversely impact Damsselfly present.~~ Damsselfly populations and human developments can co-exist. For example, a population of *M. xanthomelas* at a stream course at Tripler Army Hospital has been sustained by managing piped water for 20 years. On Lānaʻi, *M. xanthomelas* was found breeding in a large, ornamental pond behind The Lodge at Kōʻele. Although ~~adverse~~ impacts to the seep habitat from project implementation are not anticipated, measures are proposed to ~~mitigate~~ minimize existing impacts occurring from predators and trespassers as well as ensure the seep remains as a functional damsselfly habitat. An Incidental Take Permit under Section 10 of the Endangered Species Act would not be required because the cemetery expansion would avoid the damsselfly and its habitat, and proposed minimization measures would ensure continued water flow along the seep and would not alter this habitat.

As shown on Exhibit 3.14a, a portion of the damsselfly habitat area may potentially extend into the cemetery expansion area based upon preliminary grading plans. As previously discussed, the final project design would conduct a more accurate topographic survey that may result in the habitat boundaries being refined. The habitat boundary shown utilizes available topographic data shown to identify higher points. It is possible the habitat boundary on the west side may not need to extend as far west based upon actual site conditions since a site visit indicated the top of the western embankment was only about 30 feet away from the seep instead of that currently shown on Exhibit 3.14a using GIS data. The mauka boundary above the well and seep may also not need to extend as far based upon site visits. Refinement of preliminary habitat boundaries based upon more detailed and accurate topographic conditions would occur during project design to ensure cemetery expansion grading plans would avoid encroaching within the damsselfly habitat boundary.

As discussed in Section 2.2.2, subdrains would also be installed within the cemetery expansion area above the well and seep to maintain the natural discharge of subsurface water under the overlying soils. As discussed in Section 3.6.1, the groundwater study shows the seep is maintained by the natural discharge of subsurface water moving downslope through poorly permeable residual soils overlying the unweathered Kailua volcanics. Subsurface water feeding the well flows downslope to the well through subsurface soil at depths of 10 feet or more rather than through surface soil or underlying aquifer geology. A smaller basin area that contributes to subsurface flows to the well and seep area is shown on Figure 3.10 in a later section (Groundwater).

The subsurface drainage system would be designed using a herringbone pattern that would increase and improve the amount of subsurface water collected to ensure continued flow to the well and seep. The herringbone system would be comprised of three subsurface drainage mainlines with smaller subdrains branching out laterally from the mainlines. This drainage system would generally be aligned perpendicular to the retaining walls and installed at depths about 10 to 15 feet



# ATTACHMENTS - FINAL EIS REVISIONS

## HAWAII'S THOUSAND FRIENDS - COMMENT 7

(*Rattus norvegicus*); and black rat (*Rattus exulans hawaiiensis*). These human commensal species are drawn to areas of human habitation and activity, and are deleterious to native ecosystems and dependent species.

No endangered Hawaiian hoary bats were detected on site. It is only recently that this species has been recorded on a regular basis on the Island of O‘ahu. It is possible that this species may use resources in the Petition Area ~~on a seasonal basis~~.

### 3.4.2.1 Project Impacts and Mitigation

#### **No Action Alternative**

Mammalian resources would not be impacted under the No Action Alternative. The Petition Area would continue to remain as a lowland forest with predominantly alien vegetation and undeveloped. Mammalian species present on site would continue to consist of alien species that are deleterious to native ecosystems and dependent species.

#### **Proposed Action**

The Proposed Action would have no significant or adverse impact on mammalian species, because identified species on site are alien. Grading improvements for the cemetery expansion site would change the landscape from a Lowland Alien Wet Forest to an open landscaped character consisting mainly of grass and some other landscape materials that are not attractive habitats for mammalian species. The property would now be utilized for human activities that would generally discourage their presence.

The Proposed Action would reduce feral pig destructive foraging activities due to habitat loss. Areas outside of the improved cemetery would continue to provide habitat for pigs. Fencing proposed around the seep would prevent feral pigs from entering and conducting destructive activities to the endangered damselfly’s habitat. The project would thus have a positive effect in limiting some of the destructive pig activities within the Petition Area.

Although Hawaiian hoary bats were not detected in the Petition Area, the bats may be present ~~on a seasonal basis~~. The principal potential impact the project may have on bats is from construction activities during the clearing and grubbing phase of construction. The trimming or removal of tall foliage and/or trees within construction areas may temporarily displace individual bats that may use vegetation as a roosting location. As bats use multiple roosts within their home territories, the potential disturbance resulting from vegetation removal is likely to be minimal. Therefore, Cemetery expansion activities that clear large trees and shrubs during birthing and rearing season (June 1 through September 15) may impact Hawaiian hoary bat. During this period, female bats and their pups may be unable to quickly vacate their roosts as vegetation is cleared. If trees or shrubs suitable for roosting are cleared during birthing and rearing season, there is a risk that juvenile and adult bats could inadvertently be harmed.

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## HAWAII'S THOUSAND FRIENDS - COMMENT 7

Therefore, potential adverse effects from such disturbance can be avoided or minimized by not clearing woody vegetation taller than 4.6 meters (15-feet), between June 1st and September 15th, the pupping season. Deleterious impacts to bats, if present within the Petition Area, from construction activities are not expected with the implementation of this minimization measure. An Incidental Take Permit under Section 10 of the Endangered Species Act would also not be required because this standard practice, which is an agency accepted practice, would minimize any potential impacts on the hoary bat.

### Proposed ~~Mitigative~~ Minimization Measures

The following measure would be implemented to ~~mitigate adverse~~ avoid and minimize potential impacts to Hawaiian hoary bats that may be present ~~on a seasonal basis~~:

1. Avoid disturbance of woody vegetation taller than 15 feet (4.6 meters) during bat birthing and rearing season which is between June 1st and September 15th.

## 3.5 INVERTEBRATE RESOURCES

An invertebrate survey was conducted by Dr. Steven Lee Montgomery (Montgomery, 2017). Field surveys were conducted from July to December 2017. Results from a prior invertebrate survey conducted in 2008 was considered in analysis for the current survey. The primary purpose of this survey was to determine the presence or absence of endemic or indigenous terrestrial invertebrates, especially species listed under federal or state threatened and endangered species statutes. Survey methodology and results are summarized below with the survey report included in Appendix G.

### Methodology

Field surveys were conducted over a period of several months from July to December 2017 to include dry and wet conditions and to ensure observation and collections occurred during the day and night. The survey focused on finding endemic and indigenous Hawaiian species. No attempt was made to collect or completely document common alien arthropod species present in the area. Prior to the initiation of fieldwork, a general assessment of site terrain and habitats was conducted through review of maps and prior reports. Surveys occurred during the day and night, with the property traversed to survey all habitat types. Pathways were also followed to search for any springs or native botanical resources and other host plant options for native invertebrates. Survey methods included visual observation, searches of host plants, usage of sweep nets, and light sampling.

### 3.5.1 Existing Conditions

Plant and invertebrate populations are interdependent, with the presence of host plants serving as a means of gauging invertebrate health. The Petition Area has historically been used by humans

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## HAWAII'S THOUSAND FRIENDS - COMMENT 11

### CHAPTER 2 PROJECT NEED AND OBJECTIVES

Hawaiian Memorial Park Cemetery Expansion Project  
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existing cemetery. An internal roadway system encompassing about 3 acres would be constructed to provide access to various areas as shown in Figure 2.2.

The remaining approximately 7.75 acres of the Petition Area would remain as open space and largely undeveloped. The majority of this undeveloped open space area is located downslope from the cemetery expansion area and runs parallel to the Petition Area's northern boundary. This open space area provides a vegetated buffer between residences located downslope from the cemetery expansion. The area includes a small seep that would remain undeveloped and preserved providing habitat for the endangered blackline Hawaiian damselfly. Detention basins temporarily retaining stormwater runoff from the area and improving water quality are also proposed within this open space area. Smaller portions of this open space are located upslope from the Petition Area along the Oneawa hillside.

An irrigation system would be provided to irrigate the landscape elements of the cemetery when necessary. The irrigation system for the existing HMP is served by the City's potable water system. A connection point is located at the entrance to HMP in the vicinity of Mahinui Road and Kamehameha Highway. A waterline under Kumakua Place irrigates the existing Ocean View Garden site. The feasibility of incorporating a non-potable water source for the cemetery expansion area was addressed in Section 5.1 ~~would be evaluated during the project's design phase~~ based upon the City Board of Water Supply's (BWS) comments. However, ~~initial~~ preliminary evaluation of this indicates such a non-potable water source would not be feasible or practicable, thus, connection to the City's existing water system would be utilized. ~~If a non-potable water source cannot be obtained, the cemetery would be allowed to hook up to the domestic water supply as the BWS has indicated there is sufficient capacity to accommodate this project.~~ BWS's review of the Draft EIS confirmed the present water system is adequate to accommodate the project (BWS comment letter, Appendix A). Other water conservation measures would be incorporated into design plans developed where feasible, such as utilizing drought tolerant plants, xeriscape landscaping, and efficient irrigation.

Storm water runoff would be managed in accordance with applicable City regulations and drainage standards. The primary method planned to manage the cemetery's stormwater would be a system of detention basins designed to meet City's Drainage Standards for the 100-year, 1-hour storm event. More detailed information associated with grading and drainage improvements are discussed later.

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**HAWAII'S THOUSAND FRIENDS - COMMENT 27**

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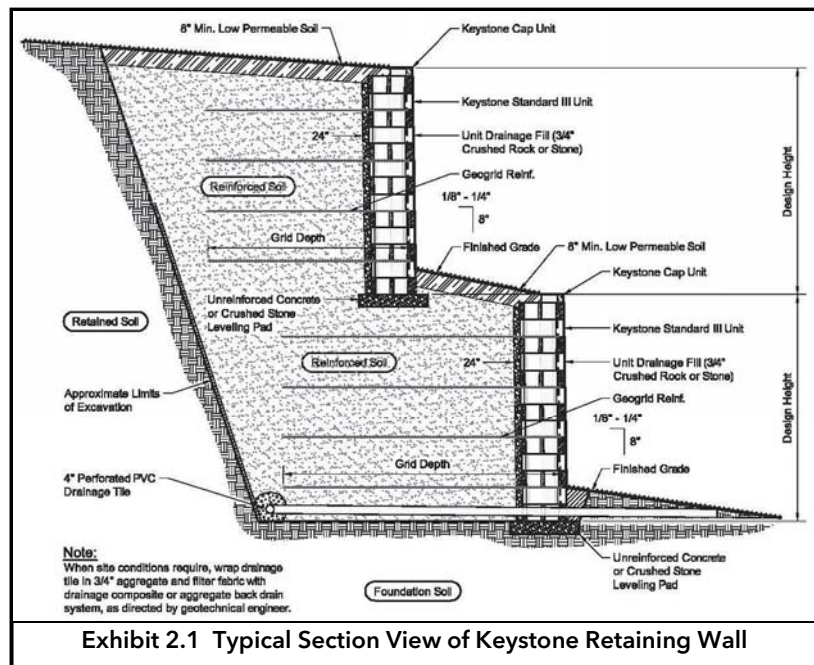
The estimated area of disturbance for earth moving activities is about 33.6 acres. The estimated quantities of excavation and embankment are shown below. It is anticipated the quantities will be revised as more accurate topographic survey data is available.

Estimated Excavation	470,960	cubic yards
<u>Estimated Embankment</u>	<u>413,673</u>	<u>cubic yards</u>
Net Change	[57,287]	cubic yards (cut)

As discussed in Section 5.4, excavated material that is not used as fill within the cemetery expansion would need to be disposed of at the privately-owned PVT Nānākuli-Construction and Demolition Material Landfill site. The number of trucks transporting this material and scheduling of these vehicles would be determined by the selected contractor during project construction. Such activities would likely occur periodically as needed, and should involve only one or two trips daily. Material transport would occur during typical daytime construction hours.

**Retaining Walls**

The roadways alignment and earthwork balance requirements under the preliminary grading plan necessitate the need for constructed retaining walls at various locations within the cemetery site. A total of seven retaining walls (labelled Walls A to G) are planned and were previously shown on Figure 2.3 of keystone design. These retaining walls would be utilized within the central and western areas of the Petition Area, and most are associated with the excavation of the hillside.



The keystone designed retaining walls would average about 10 feet in height, with some sections having a maximum height of 25 feet due to terrain. The use of walls taller than 10 feet tall is planned to be kept to a minimum. However, where taller wall sections are required, the keystone would be terraced to provide for a more aesthetic view complete with landscaping.

Exhibit 2.1 shows a typical section view of such a keystone wall. As shown on the section view, the retaining wall would have a subdrain installed at the base to assure seepage water does impact the wall structure. The footing of the wall would be constructed on a concrete or crushed stone pad minimizing further subsurface disruptions.

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**HAWAII'S THOUSAND FRIENDS - COMMENT 48 & 50**

Northern Cardinal	<i>Cardinalis cardinalis</i> <i>THRAUPIDAE</i> - Tanagers <i>Thraupinae</i> - Core Tanagers	A	0.25
Red-crested Cardinal	<i>Paroaria coronate</i>	A	0.75
<i>ESTRILDIDAE</i> - Estrildid Finches			
Chestnut Munia	<i>Lonchura atricapilla</i>	A	0.50
<b>Key:</b>			
ST Status			
A Alien - Introduced to the Hawaiian Islands by humans			
IM Indigenous Migrant - Native but not restricted to the Hawaiian Islands, migratory, non-breeder in Hawaii			
RA Relative Abundance - Number of birds detected divided by the number of point counts (~8)			
Source: Rana, 2018			

The findings of the avian survey are consistent with the current habitats present within the survey, which are dominated by alien plant species. This avian survey is also consistent with a prior faunal survey conducted for the property in September 2006 (Bruner, P., 2006). During the 2006 survey, 14 avian species were recorded. The current survey documented the same 14 species, plus an additional five other species. All species except the Pacific Golden-Plover recorded in this survey are alien to the Hawaiian Islands.

Pacific Golden-Plover are a native, indigenous migratory shorebird species. This species nests in the high Arctic during late spring and summer months. They later return to Hawai'i and the Tropical Pacific in the fall and winter months each year. This species usually returns to the Arctic in late April or early May. They are widely distributed in the Hawaiian Islands during winter months.

No owl species were recorded in this survey. There are two resident owl species on O'ahu, which are the introduced Barn Owl (*Tyto alba*) and the indigenous endemic sub-species of the Short-eared Owl, or Pue'ō as it is locally known (*Asio flammeus sandwichesis*). The Pue'ō has darker colored feathers than the Barn Owl and is comparatively smaller (National Wildlife Health Center 2016). While both species are found on all the main Hawaiian islands, Pue'ō have become increasingly scarce on O'ahu. The island's Pue'ō population is listed as an endangered species by the State of Hawai'i, but is not listed under federal statute.

Pue'ō forage in grasslands, agricultural fields and pastures, as well as upland forested areas (Bruner 2006). This owl species occupies a variety of habitat including wet and dry forests and most commonly inhabit open areas such as grassland, shrubland, and montane parkland (Conry et al. 2015). ~~It is possible that Pue'ō occasionally use resources in the general Petition Area on a seasonal basis.~~ This species is not habitat restricted on O'ahu, though there is likely less suitable nesting habitat than there once was. The majority of O'ahu's Pue'ō population is found on the leeward side of the island and on the North Shore. Pue'ō face daunting odds given O'ahu's high population density. They are a ground nesting diurnal species, and prefer to nest in tall grass (e.g. pastures and grasslands) (DOFAW, 2013). ~~and the~~ The sheer numbers and density of mammalian



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## HAWAII'S THOUSAND FRIENDS - COMMENT 48 & 50

predators on O‘ahu makes it very difficult for this species to successfully nest, except within protected areas with a strong mammalian predator control program in place. The faunal study determined that there is no suitable habitat for this species to forage in or nest in within the Petition Area. The Petition Area’s alien forest canopy does not have grassland for nesting and they are vulnerable to mammalian predators present. Pue‘o prefer small mammals (e.g. rats) for their diet, and the existing thick canopy forest of the Petition Area and larger property prevents foraging within this area.

### **Seabird Species**

Although seabirds were not detected in the course of the survey, several seabird species potentially overfly the site on occasion. These species include the Wedge-tailed Shearwater or ‘Ua‘u Kani (*Puffinus pacificus*), the “threatened” Newell’s Shearwater (*Puffinus auricularis newelli*), and the “endangered” White Tern (*Gygis alba*).

The O‘ahu population of White Tern (*Gygis alba*) is listed as an endangered species by the State of Hawai‘i, but it is not listed under federal statute. This ephemeral species was not recorded during this survey, nor was it expected. The current resident population of White Tern on O‘ahu is found on the leeward side of the island concentrated in the Waikiki area.

The primary cause of resident seabird mortality is thought to be predation by alien mammalian species at nesting colonies. The second most common cause of mortality for locally nesting seabirds occurs when they collide with man-made structures after they are disoriented by exterior lighting. If these seabirds are not killed outright, the dazed or injured birds are easy targets for predation by feral mammals.

### **3.4.21.2 Potential Project Impact and Mitigation**

#### **No Action Alternative**

Avian species within the Petition Area and immediate area would not be impacted under the No Action Alternative because no improvements or site development would occur. The majority of avian species found in the area would continue to be alien species. The Pacific Golden-Plover may continue to be found in existing areas of HMP.

Community members have previously commented on sighting avian species thought to be Pue‘o within or in the vicinity of the Petition Area. These individuals believe Pue‘o are present within the area. ~~Although~~ The avian survey did not identify indigenous, endemic Pue‘o or introduced Barn Owl in the Petition Area. The Petition Area would continue to be an unsuitable habitat for Pue‘o. The site’s alien forest canopy would not provide the habitat preferred by this species. The Petition Area’s existing thick canopy forest and larger property would continue to prevent foraging. ~~Pue‘o may use Petition Area resources on a seasonal basis. Although this species may~~

# ATTACHMENTS - FINAL EIS REVISIONS

## HAWAII'S THOUSAND FRIENDS - COMMENT 48 & 50

~~be seasonally present, the Petition Area likely does not function as a long-term habitat given the lack of suitable foraging or nesting habitat in the area. Additionally, the sheer numbers and density of mammalian predators in the Petition Area make it difficult for Pue'ō to successfully nest in this area. The majority of O'ahu's Pue'ō population would continue to be found on the leeward side of the island and on the North Shore. Therefore, it is likely Pue'ō would only be present in the Petition Area on a seasonal basis, if at all.~~ Seabirds may potentially continue to overfly the Petition Area on occasion.

### **Proposed Action**

Project implementation initiated under the Proposed Action is not expected to have a significant impact on avifaunal species because the majority of species present are alien. Grading improvements for the cemetery expansion site would change the landscape from a Lowland Alien Wet Forest to an open landscaped character consisting mainly of grass and landscape plantings. This open grassed landscape should have minimal impact on alien avian species. The Pacific Golden-Plover's migratory pattern that involves returning to Hawai'i in the fall and winter months each year, should not be impacted by this project. This species would continue to be widely distributed in the Hawaiian Islands. The Cultural Preserve would not involve any major site development that would significantly alter the existing landscape and vegetation.

~~Pue'ō would continue to only be present in the Petition Area on a seasonal basis under the Proposed Action. The open grassed landscape created by cemetery expansion improvements would not serve as suitable foraging or nesting habitat for the Pue'ō, as it would not provide the tall grasslands this species prefers. The open grass landscape established with the cemetery expansion may improve the area's character for potential foraging use by this species. However, they instead prefer grasslands, agricultural fields, and pastures. This is not consistent with the characteristics of cemetery lawn. The bulk of the O'ahu population is found on the leeward side of the island and on the North Shore. Therefore, Pue'ō likely would not inhabit the Petition Area on a long-term basis under the Proposed Action. However, the project would have a minor positive impact on Pue'ō that may be seasonally present. Replacement of forested area with open grassed landscape would reduce habitat for mammalian predators. This would benefit the nesting success of seasonally present Pue'ō.~~

The O'ahu population of White Tern (*Gygis alba*) should not be impacted by the project since this ephemeral species was not recorded during this survey, nor was it expected. The current resident population of White Tern on O'ahu is found on the leeward (Honolulu) side of the island concentrated in the Waikīkī area.

Protected seabirds are threatened of being downed after becoming disoriented by outdoor lights during the nesting season. The two main areas that outdoor lighting could pose a threat to these nocturnally flying seabirds are: 1) possible night-time construction activities; and 2) streetlights or other exterior lighting within the cemetery expansion during the seabird fledging season, which runs from September 15 through December 15<sup>th</sup>.

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## HAWAII'S THOUSAND FRIENDS - COMMENT 66e

HAWAII STATE PLAN, CHAPTER 226, HRS (Key: C = Consistent, I = Inconsistent, N/A = Not Applicable)	C	I	N/A
<p><u>Therefore, the project would be consistent with this policy because the cemetery and Cultural Preserve consist of appropriate land-based activities that do not conflict with water-based activities within Kāneʻohe Bay. Section 6.2.2 discusses how the cemetery expansion is consistent with the City's sustainable communities plan. Other sections of this document discuss how short-term construction-related impacts would be minimized or mitigated by BMPs or other measures. The document addresses how natural resources would not be adversely impacted, and ecological systems would be preserved (e.g. seep) and improved as a result of proposed drainage plans (water quality).</u></p>			
<p>(3) <i>Take into account the physical attributes of areas when planning and designing activities and facilities.</i></p>	X		
<p><b>Discussion:</b> Physical attributes of the Petition Area were considered in the <u>preliminary</u> proposed project design. For example, geologic characteristics of the Petition Area were analyzed to evaluate the potential for rockfall and slope instability. Based on this analysis, mitigative measures are proposed and include development of rock catchment ditches to mitigate rockfall hazard. <u>Section 2.2.2 summarized these site conditions and the design criteria (slopes less than 20%) needed for pedestrian access to burial sites. A geotechnical study (Appendix C) supported the preliminary design of the project which provided information and recommendations given the site's existing topographic and geologic conditions. Reducing the steepness of the hillside would improve drainage conditions within this area by reducing runoff volumes and velocity. Erosion would be reduced, improving water quality, and allowing for increased stormwater infiltration as a result of the grassed cemetery and detention basins.</u></p>			
<p>(4) <i>Manage natural resources and environs to encourage their beneficial and multiple use without generating costly or irreparable environmental damage.</i></p>	X		
<p><b>Discussion:</b> The project will allow cemetery use of a portion of the Petition Area <u>encouraging beneficial and multiple use of the environment without generating costly or irreparable damage to the associated environment based upon the impact assessment results in this document.</u> Mitigation, <u>avoidance, and minimization</u> measures incorporated into the project design include retention/detention basins to ensure anticipated drainage conditions do not adversely impact downslope water resources and existing drainage facilities. The Petitioner will appropriately manage the cemetery expansion area to ensure design based mitigation measures function as intended so irreparable environmental damage is avoided.</p>			
<p>(5) <i>Consider multiple uses in watershed areas, provided such uses do not detrimentally affect water quality and recharge functions.</i></p>			X
<p>(6) <i>Encourage the protection of rare or endangered plant and animal species and habitats native to Hawai'i.</i></p>	X		
<p><b>Discussion:</b> Rare or endangered species identified within the Petition Area will not be impacted by the project. A seep fed by a human constructed well is located in the western portion of the Petition Area and provides habitat for endangered Blackline Hawaiian Damsselfly. To ensure continued conveyance of <u>subsurface water</u><del>groundwater</del> to the seep, three subsurface <del>drains</del> <u>drainage mainlines with smaller lateral subdrains</u> would be installed below <del>in</del> the fill area above the seep, protecting this endangered invertebrate species and its habitat. <u>Other measures proposed include adding a well monitoring gauge and extending an irrigation line to the well to ensure continued water flow to the seep on a long-term basis should the water source cease. Pue'o were not identified within the Petition Area by the avian and mammalian survey conducted for the project. The Petition Area does not provide suitable foraging or nesting habitat for this species due to the existing dense tree canopy and presence of predators. Therefore, protection measures are not necessary. Similarly, Hawaiian hoary bat were not identified in the Petition Area, but could be present. Therefore, a standard accepted minimization measure to avoid disturbance of wood vegetation taller than 15 feet during bat birthing and rearing season is proposed. Endangered plant species were not identified in the Petition Area by the project's botanical survey.</u></p>			



# ATTACHMENTS - FINAL EIS REVISIONS

## HAWAII'S THOUSAND FRIENDS - COMMENT 67b

<b>HAWAI'I STATE PLAN, CHAPTER 226, HRS</b> <i>(Key: C = Consistent, I = Inconsistent, N/A = Not Applicable)</i>	<b>C</b>	<b>I</b>	<b>N/A</b>
<i>(7) Provide public incentives that encourage private actions to protect significant natural resources from degradation or unnecessary depletion.</i>			<b>X</b>
<i>(8) Pursue compatible relationships among activities, facilities, and natural resources.</i>	<b>X</b>		
<p><b>Discussion:</b> <u>As indicated in discussion of the project's consistency with HRS § 226-11 Policies 1-4, proposed activities and facilities are compatible with Petition Area natural resources. The project: 1) includes the prudent use of the site and resources reflecting actions that are proposed with care and thought for the future; 2) is a compatible land-based activity as it involves expansion of the existing HMP cemetery; 3) accounts for the site's physical attributes in the preliminary design of proposed improvements to minimize effects; and 4) encourages beneficial and multiple use of the site in a manner that does not generate costly or irreparable environmental damage based upon Final EIS results. The Cultural Preserve and undeveloped portions of the Petition Area are natural resources that would remain in the Petition Area following project implementation. Activities that would occur in the Petition Area after project implementation would be compatible with the Petition Area these natural resources. Activities within the cemetery expansion area will be passive and primarily involve visitation of gravesites. <u>Although improved portions of the cemetery expansion area are not intended for recreational activities, by families and passive recreational use by the public (i.e. walking) would be allowed in the cemetery expansion area similar to passive recreational activities allowed in the existing HMP cemetery. Grave site visitation is not considered a recreational activity.</u> The passive nature of these activities would not impact Petition Area natural resources. Landscape restoration activities occurring in the Cultural Preserve will enhance land based natural resources in this area by replacing invasive vegetation with native plants.</u></p>			
<i>(9) Promote increased accessibility and prudent use of inland and shoreline areas for public recreational, educational, and scientific purposes.</i>			<b>X</b>
<p><b>HRS § 226-12: Objective and policies for the physical environment - scenic, natural beauty, and historic resources.</b></p>			
<p><i>(a) Objective: Planning for the State's physical environment shall be directed towards achievement of the objective of enhancement of Hawai'i's scenic assets, natural beauty, and multi-cultural/historical resources.</i></p>			
<p><b>(b) Policies:</b></p>			
<i>(1) Promote the preservation and restoration of significant natural and historic resources.</i>	<b>X</b>		
<p><b>Discussion:</b> The project was designed in consideration of significant natural and historic resources in the Petition Area. Culturally significant plant species that will be disturbed by project grading activities could be used to landscape the proposed Cultural Preserve, ensuring the continued presence of these species and accessibility by cultural practitioners. The preservation plan associated with the Cultural Preserve would guide the preservation and restoration of archaeological resources found within Preserve boundaries.</p>			
<i>(2) Provide incentives to maintain and enhance historic, cultural, and scenic amenities.</i>	<b>X</b>		<b>X</b>
<p><u><b>Discussion:</b> The proposed Cultural Preserve would allow the Ko'olaupoko Hawaiian Civic Club to manage and increase stewardship of this area, restore and preserve historic sites present, and support native Hawaiian cultural practices. A Preservation Plan to be developed would further specify preservation measures implemented, buffer areas for historic sites, etc. that support the stewardship of this area. The Preserve would provide space for the civic club, other organizations, and cultural practitioners to conduct cultural practices as well as potential educational programs under the management of the Ko'olaupoko Hawaiian Civic Club. The Cultural Preserve reflects the Petitioner's commitment to maintain and enhance historic and cultural resources identified in the Petition Area.</u></p>			

**ATTACHMENTS - FINAL EIS REVISIONS**  
**HAWAII'S THOUSAND FRIENDS - COMMENT 69**

HAWAII STATE PLAN, CHAPTER 226, HRS (Key: C = Consistent, I = Inconsistent, N/A = Not Applicable)	C	I	N/A
(2) Uphold and protect the national and state constitutional rights of every individual.			X
(3) Assure access to, and availability of, legal assistance, consumer protection, and other public services which strive to attain social justice.			X
(4) Ensure equal opportunities for individual participation in society.			X
<b>HRS § 226-25: Objective and policies for socio-cultural advancement - culture.</b>			
(a) Objective: Planning for the State's socio-cultural advancement with regard to culture shall be directed toward the achievement of the objective of enhancement of cultural identities, traditions, values, customs, and arts of Hawai'i's people.			
<b>(b) Policies:</b>			
(1) Foster increased knowledge and understanding of Hawai'i's ethnic and cultural heritages and the history of Hawai'i.	X		
<p><b>Discussion:</b> <u>The project is consistent with this policy as the Ko'olaupoko Hawaiian Civic Club's stewardship of historic sites in the Cultural Preserve would increase the knowledge of Hawai'i's cultural heritage and history for civic club members.</u> The preservation plan guiding management and operation of the Cultural Preserve may allow for culturally oriented educational programs in the Preserve. These programs would be open to authorized guests of the Ko'olaupoko Hawaiian Civic Club or other organizations supporting Preserve stewardship. The programs <u>would further support this policy by fostering</u> <del>foster</del> increased knowledge and understanding of native Hawaiian cultural practices and history. These practices are important aspects of Hawai'i's ethnic and cultural heritage.</p>			
(2) Support activities and conditions that promote cultural values, customs, and arts that enrich the lifestyles of Hawai'i's people and which are sensitive and responsive to family and community needs.	X		
<p><b>Discussion:</b> Establishment of the Cultural Preserve will support activities promoting native Hawaiian cultural values and customs. Perpetuation of these values and customs would enrich the lifestyle of Hawai'i's community by maintaining community cultural diversity. Cultural activities occurring in the preserve include traditional native Hawaiian burial practices. Landscaping with plants possessing native Hawaiian cultural significance would ensure these plants are accessible for native Hawaiian cultural practices.</p>			
(3) Encourage increased awareness of the effects of proposed public and private actions on the integrity and quality of cultural and community lifestyles in Hawai'i.			X
(4) Encourage the essence of the aloha spirit in people's daily activities to promote harmonious relationships among Hawai'i's people and visitors.			X
<b>HRS § 226-26: Objectives and policies for socio-cultural advancement - public safety.</b>			
Objectives: Planning for the State's socio-cultural advancement with regard to public safety shall be directed towards the achievement of the following objectives:			
(1) Assurance of public safety and adequate protection of life and property for all people.			X
(2) Optimum organizational readiness and capability in all phases of emergency management to maintain the strength, resources, and social and economic well-being of the community in the event of civil disruptions, wars, natural disasters, and other major disturbances.			X
(3) Promotion of a sense of community responsibility for the welfare and safety of Hawai'i's people.			X
<b>(b) Policies related to public safety:</b>			
(1) Ensure that public safety programs are effective and responsive to community needs.			X
(2) Encourage increased community awareness and participation in public safety programs.			X
<b>(c) Policies related to criminal justice:</b>			
(1) Support criminal justice programs aimed at preventing and curtailing criminal activities.			X