

Derrickson, Scott A

From: KATHLEEN O'MALLEY <tutukate808@gmail.com>
Sent: Tuesday, November 12, 2019 2:10 PM
To: DBEDT LUC
Subject: Testimony for LUC Hearing on November 11, 2019

My name is Kathleen O'Malley and my property is adjacent to Hawaiian Memorial Park's proposed expansion site. HMP is requesting that 53.449 acres of conservation land be changed to urban use. My family and I are adamantly opposed to this plan because the scope of this proposed project and the potential unintended consequences that surround it could cause irreparable harm to the watershed area it will impact, the neighbors below, as well as the habitat of the federally protected blackline damselfly discovered on the property.

HMP proposes in its final EIS to excavate 470,960 cubic yards of dirt, rocks, and boulders and the embankment of 413,673 cubic yards of that material. "The estimated area of disturbance for earth moving activities is about 33.6 acres." This work also includes the building of a 1,000-linear foot concrete lined catchment ditch along a portion of the upslope cemetery development boundary as well as retaining walls and roads to provide access to grave sites. My property is located below the Central Cemetery Expansion Area which HMP cites in the EIS: "The central portion of the cemetery expansion site would be subject to rockfall hazards." Their proposed mitigative measures include more disturbance to the land - the cement lined ditch and chain link fencing. **They propose to inspect these structures "periodically" but what if that does not happen?**

Geolabs, Inc., which did the geotechnical assessment for the EIS states in Section 4 of their report: "Variation in the surface and subsurface conditions between our observations and analysis points may occur, and the nature and extent of these variations may not become evident until additional field exploration or construction is underway. If variations then appear evident, it will be necessary to re-evaluate the findings and preliminary recommendations provided herein." Additionally, they write that "due to inherent deterioration of rock slopes resulting from natural processes, the potential for rockfall hazard at any site changes with the passage of time." Then they write: **Therefore, the findings and preliminary recommendations contained herein may be used only within two years from the date of issuance of the final report.** That final report date was January 18, 2018. The two year limitation is now 2 months away. What assurances do we have that there is no danger, especially when Geolabs concludes: "Finally, **there are no guarantees** in the professional engineering and architectural design fields with respect to potential rockfall hazards due in large part to the unpredictable nature of rockfall activity, which is affected by many external variables including natural and man-induced causes.

My son, Liam Gray, is the concerned citizen who discovered the endangered blackline damselfly population, not the HMP consultants. He and the rest of our neighborhood is deeply concerned that the grading activities above the damselfly habitat in the western section of the petition area, could destroy this fragile population. HMP states that "the majority of the western hillside would be excavated generally reducing it up to 40 feet in height, and up to 100 feet in height near the top of the hillside." That is a lot of earth movement!. While the EIS states that grading improvements would not impact the seep that provides the habitat for the damselfly it is interesting to note that in the DEIS it states that the damselfly habitat will be "preserved" but in the FEIS it states that the damselfly habitat would be "avoided." Further in the DEIS it states that measures are proposed to "mitigate" existing impacts while in the FEIS it states that measures are proposed to "minimize" existing impacts. It appears that this language change may be a strategy to avoid having to request an Incidental Take Permit under Section 10 of the Endangered Species Act. since their proposed measures would ensure continued water flow along the seep and would not alter the habitat. **But what is their proposed measures don't work?**

We are counting on the members of the LUC to preserve and protect our natural environment. Our neighborhood should not have to keep fighting Hawaiian Memorial Park to keep this watershed region zoned as conservation land. Please do not amend the boundary.

Mahalo,
Kathleen A. O'Malley