

HUI O PIKOILOA, an unincorporated association,
LIANNE CHING, BETTYE HARRIS, RICHARD
MCCREEDY, JULIANNE MCCREEDY, JESSE
REAVIS, and
GRANT YOSHIMORI
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Kaneohe, HI 96744
Telephone No.: (808) 236-0502

LAND USE COMMISSION
STATE OF HAWAII

2019 DEC -9 A 10:44

INTERVENORS PRO SE

BEFORE THE LAND USE COMMISSION

STATE OF HAWAII

IN THE MATTER OF:) DOCKET NO. A17-804
)
HAWAIIAN MEMORIAL LIFE PLAN, LTD., a Hawaii Corporation) STATEMENT OF POSITION
) OF
To Amend The Conservation Land Use District Boundary Into The Urban Land Use District For Approximately 53.449 Acres Of Land At Kāne'ōhe, Island of Oahu, State of Hawai'i, Tax Map Key: (1) 4-5-003:por.001) LIANNE CHING, BETTYE HARRIS,) RICHARD MCCREEDY, JULIANNE) MCCREEDY, JESSE REAVIS, and) GRANT YOSHIMORI
)
)

STATEMENT OF POSITION

OF

LIANNE CHING, BETTYE HARRIS, RICHARD MCCREEDY, JULIANNE
MCCREEDY, JESSE REAVIS, and GRANT YOSHIMORI

We hereby inform you, per the Land Use Commission Prehearing Order dated February 20, 2009, that GRANT YOSHIMORI, an individual (hereafter "Intervenor Yoshimori"), RICHARD MCCREEDY and JULIANNE MCCREEDY, husband and wife (hereafter collectively "Intervenor McCreedy"), LIANNE CHING, an individual (hereafter "Intervenor Ching"), BETTYE HARRIS, and individual (hereafter "Intervenor Harris"), and JESSE REAVIS, an individual (hereafter "Intervenor Reavis"), hereafter referred to

collectively as "Intervenors"; oppose the Petition of Hawaiian Memorial Life Plan, Ltd. (hereinafter referred to as the "Petitioner") under Docket No. A17-804 to reclassify approximately 53.449 acres of land for the Hawaiian Memorial Park Cemetery Expansion project from the Conservation District to the Urban District at Kaneohe, Koolauloko, Oahu.

Non-Compliance with the Hawaii State Plan

Reclassification of the subject property, would violate HRS § 205-16 Compliance with the Hawaii State Plan, which states:

§205-16 Compliance with the Hawaii state plan. No amendment to any land use district boundary nor any other action by the land use commission shall be adopted unless such amendment or other action conforms to the Hawaii state plan. [L 1975, c 193, §12; am L 1985, c 230, §5]

In particular, the HRS §226-12 of the Hawaii State Plan states:

§226-12 Objective and policies for the physical environment--scenic, natural beauty, and historic resources. (a) Planning for the State's physical environment shall be directed towards achievement of the objective of enhancement of Hawaii's scenic assets, natural beauty, and multi-cultural historical resources.

(b) To achieve the scenic, natural beauty, and historic resources objective, it shall be the policy of this State to:

- (1) Promote the preservation and restoration of significant natural and historic resources.**
- (2) Provide incentives to maintain and enhance historic, cultural, and scenic amenities.**
- (3) Promote the preservation of views and vistas to enhance the visual and aesthetic enjoyment of mountains, ocean, scenic landscapes, and other natural features.**
- (4) Protect those special areas, structures, and elements that are an integral and functional part of Hawaii's ethnic and cultural heritage.**

The subject property serves as a green-belt which is visible from much of Kaneohe. The undeveloped property does "enhance the visual and aesthetic enjoyment of the mountains", as well as landscapes.

In addition, the HRS §226-12 of the Hawaii State Plan states:

§226-11 Objectives and policies for the physical environment—land-based, shoreline, and marine resources. (a)
Planning for the State's physical environment with regard to land-based, shoreline, and marine resources shall be directed towards achievement of the following objectives:

- (1) Prudent use of Hawaii's land-based, shoreline, and marine resources.
- (2) Effective protection of Hawaii's unique and fragile environmental resources.

(b) To achieve the land-based, shoreline, and marine resources objectives, it shall be the policy of this State to:

- (1) Exercise an overall conservation ethic in the use of Hawaii's natural resources.
- (2) Ensure compatibility between land-based and water-based activities and natural resources and ecological systems.
- (3) Take into account the physical attributes of areas when planning and designing activities and facilities.
- (4) Manage natural resources and environs to encourage their beneficial and multiple use without generating costly or irreparable environmental damage.
- (5) Consider multiple uses in watershed areas, provided such uses do not detrimentally affect water quality and recharge functions.
- (6) Encourage the protection of rare or endangered plant and animal species and habitats native to Hawaii.

The subject property is home to the endangered Hawaiian Blackline Damselfly, and qualifies the property to be protected per HRS §226-12 Section 6.

Non-Compliance with Koolaupoko Sustainable Communities Plan

Reclassification of the subject property would violate HRS § 205-2(a) and the Koolaupoko Sustainable Communities Plan.

HRS § 205-2(a) States:

“In establishing the boundaries of the districts in each county, the commission shall give consideration to the master plan or general plan of the county”.

The Koolaupoko Sustainable Community Plan is part of the General Plan for the City and County of Honolulu, and is referenced by HRS § 205-2(a). The Koolaupoko Sustainable Communities Plan (KSCP), Section 3-19, on the planned Hawaiian Memorial Park (HMP) expansion currently states:

“Any proposed expansion by Hawaiian Memorial Park must include a 150-foot buffer from residential homes, a 2,000-foot buffer from the Pohai Nani senior living community, and a phased approach to sales and marketing...” “specifically

prohibits urbanizing the undeveloped slopes of Oneawa Hills where the petition area is located, first by placing the petition area outside of the Urban Community Boundary and within the preservation boundary, and second by specifically stating that the boundary should not change in this area.”

The current proposed development severely encroaches on the 2,000-foot buffer by over 30%, and is non-compliant to the KSCP.

Flooding Concerns

The proposed project does not properly account for the additional runoff which will be generated, causing significant threat to life and property to the downhill residential community.

Threat to Kawa Stream and Kaneohe Bay

The petition area lies within the Kawa Stream watershed, which is part of the larger Kaneohe Bay watershed. Kaneohe Bay has been designated a Class “AA” water body; and Kawa Stream has been categorized as a “impaired water body” by the State of Hawaii under the Federal Clean Water Act.

The Intervenors are concerned about the potential impact of the proposed project to Kawa Stream and Kaneohe Bay.

Petition Area Meets Guidelines for Conservation Districts

HRS § 205-2(e) describes lands for the conservation district. Among the criteria for conservation district are:

- “Protecting watersheds and water sources”,
- “preserving scenic and historic areas”,
- “providing park lands, wilderness, and beach reserves”,
- “preventing floods and soil erosion”,

- “open space areas whose existing openness, natural condition, or present state of use, if retained, would enhance the present or potential value of abutting or surrounding communities, or would maintain or enhance the conservation of natural or scenic resources”

Per the concerns raised above, the Intervenor's position is that the subject property qualifies to remain in the Conservation District per HRS § 205-2(e)

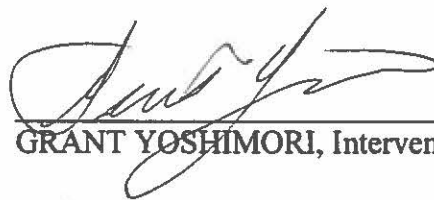
Cemetery Capacity is Sufficient

There is sufficient cemetery capacity in Hawaii to handle the coming needs for burials.

Other cemeteries are currently expanding and marketing to fill burial plots, indicating that there is enough burial supply. In addition, other cemeteries have additional undeveloped land which was not included in Hawaiian Memorial's assessment of future burials.

In addition, Hawaiian Memorial can increase cemetery density to continue generating revenue for the foreseeable future.

Dated: Kaneohe, Hawaii, December 9, 2019



GRANT YOSHIMORI, Intervenor Pro Se

CERTIFICATE OF SERVICE

I hereby certify that due service of a copy of the within document was made by depositing the same with the U. S. mail, postage prepaid, or by hand delivery, on December 9, 2019, addressed to:

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DATED: Honolulu, Hawaii, December ⁹__, 2019.



GRANT YOSHIMORI, ET. AL.

Intervenors