

**From:** [DBEDT LUC](#)  
**To:** [Quinones, Natasha A](#); [Orodenker, Daniel E](#); [Derrickson, Scott A](#)  
**Subject:** FW: [EXTERNAL] LUC April 28 - 29 Meeting Testimony  
**Date:** Monday, April 26, 2021 8:22:42 AM  
**Attachments:** [Testimony April 28th 2021.pdf](#)

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IAL testimony

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**From:** Samantha Grossi <[sgrossio10@gmail.com](mailto:sgrossio10@gmail.com)>  
**Sent:** Sunday, April 25, 2021 12:10 PM  
**To:** DBEDT LUC <[dbedt.luc.web@hawaii.gov](mailto:dbedt.luc.web@hawaii.gov)>  
**Subject:** [EXTERNAL] LUC April 28 - 29 Meeting Testimony

April 24, 2021 (see attachment for PDF version)

Land Use Commission Members,

Many of my concerns may apply to other land recommendations for IAL designation however, my testimony speaks specifically to the Waianae area.

It is important to first point out that while this meeting intends to discuss “*whether the proper procedural, legal, statutory and public notice requirements were met in developing the recommendations*” the requirements in question are only proper in the eyes of those who were at the table when they were established. Largely the landowners, the real stakeholders in this conversation directly impacted by the decisions you will make, were not at that table. Deeming what you have determined “proper requirements” irrelevant to most impacted.

To the issue of procedural requirements, the adequacy of data points collected and data collection methods used to inform these recommendations need to be questioned. It appears that soil quality was used as a large indicator of land viability. How were soil samples obtained from individual properties to determine soil viability? Also, why were individual landowners not consulted in the data collection process? Why were interviews not conducted with individual landowners to understand the land in question, its history, how it is currently being used, the benefit it has to the community, and individual landowners, in its current state?

Furthermore, data collection solely on the most viable pieces of land stops short of considering potential economic social damage this designation may have to the Waianae community and families impacted. Why was data not specifically collected on the adverse effects of the IAL designation? This type of limited, one-sided data collection and analysis is misleading, irresponsible, and blind to the real-world consequences of its implications.

There also appears to have been a process to petition for land to be exempt from recommendation. Individual landowner requests for exemption, because they do not wish for their land to be designated in this manner, was evidently not enough to overturn a decision. I understand this issue itself is a discussion for another day

however, the process by which landowners were able to submit a petition was not sufficiently communicated to all landowners impacted. This directly relates to the issue of public notice requirements.

The City and County go to great lengths in its April 21, 2021 report to outline how landowners were notified. However, if you go into the communities impacted and ask the residents if they are aware of and understand this initiative it will be evident that the City and County's efforts were insufficient. The methodology used for community involvement shows a misunderstanding of the community itself. Within the community of landowners are older generations, those whose first language may not be English, and those of low socioeconomic status. It has been repeatedly shown that the use of mail, websites, and newspaper articles are not the most effective means by which to communicate significant change within this community. These methods bring into question issues such as equal access to information including internet access and newspapers which require a paid subscription, and language barriers. A proven method of communication within the Waianae community is canvassing to speak directly to landowners and stakeholders. This was not done and appears to not have been taken into consideration under the public notice requirements.

The quality of the methods that were used should also be critically looked at. Two mailouts are insufficient. The two that went out provided little to no information to landowners about the issue at hand or how to speak with someone to gather more information. Key community meetings were not always easily accessible. For example, the 2017 meeting that presented a draft to the community took place in Kapolei while a substantial amount of the land in question is located in Waianae. This venue choice was not an act of good faith nor did it appear to have the landowners' interest at heart. At other key meetings, this specific issue was often second on the agenda, much like today. For such an important issue special meetings should have been designated. This process was plagued with other issues such as only one landowner participating in the focus group as well as a documented record of community members who attended meetings expressing that the information provided by the City and County was not easy to understand, was not presented in accessible layman terms, and most importantly was incomplete.

The City and County did not act in good faith nor do its due diligence in its unacceptable attempts to inform landowners that their property will be, or has been, recommended for IAL when it was not able to provide full explanations of, but not limited to: Potentially harmful ramifications and consequences for individual landowners, how agricultural land currently used for livestock will be impacted, and if there will be an opportunity to opt-out of the IAL designation.

It is impossible to discuss the matter of meeting public notification requirements without acknowledging that the bare minimum of informing landowners of what has been proposed in an attempt to meet compliance is not enough. It appears that the City and County have taken advantage of landowners by intentionally lacking transparency on key pieces of information landowners need to fully understand these recommendations and how they may impact their land and way of life. What is taking place is insulting to landowners and a disappointment on the part of State and City

and County officials who are to serve all Hawai'i residents, not special interest groups, international business, or those looking to make a profit under the guise of sustainability efforts.

As this process continues I urge you to get to know the landowners your decisions will directly impact. These people are not large corporations. They are longtime, if not lifetime, members of the community. They are small family business owners. They are hard-working people who deserve better than this mistreatment. The majority of people you encounter will have the same goals of keeping agricultural land agricultural, of seeing our land thrive and prosper in diverse ways, keeping local business local, and preventing urbanization of agricultural lands. We have common ground. We have common goals. But this is not the way to achieve them.

Sam Nakamoto  
Waianae Community Member

**From:** [DBEDT LUC](#)  
**To:** [Quinones, Natasha A](#); [Orodenker, Daniel E](#); [Derrickson, Scott A](#); [Chow, Linda L](#)  
**Subject:** FW: To Land use Commission  
**Date:** Monday, April 26, 2021 8:21:04 AM

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IAL pubic testimony-w/ Japanese language interpreter request

Linda- this is the first request for language interpreter w/ ZOOM for me- logistically, an interpreter might be able to assist using the recorded meeting afterwards, but can't think of a way to provide it during the meeting- any suggestions?

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

From: Yamamoto Mieko <ponoilio@hotmail.com>  
Sent: Sunday, April 25, 2021 12:59 PM  
To: DBEDT LUC <dbedt.luc.web@hawaii.gov>  
Subject: [EXTERNAL] To Land use Commission

To Land use Commission  
Department of Business, Economic Development & Tourism State of Hawaii

Dear Executive Officer/ Daniel Orodenker

Aloha!

My name is Mieko Yamamoto.

I received a letter about My Land redesignation proposal to agricultural land And was very upset and disappointed to hear of such a proposal.

I came here (Hawaii) 1999 from Tokyo Japan. I studied at Interior Design school in Tokyo Meguro.

Now I am 59 years old . I Moved to Waianae because I have to take care for my health from high-blood pressure. sense my background is Interior Design I don't want to become a farmer.

About 2 years ago I tried to grow a few vegetables for myself, Tomato, Eggplant, Japanese cucumber, Shiso ,Tokyo negi ,green onion, Hayato Uli also Avocado, Cacao, etc.

After Gardening I had Injured my Hip and shoulder. Also I got a tetanus shot To protect me from parasite and insect on the property.

Every morning and evening, I watered with a High water cost, But To no avail There's so much full sun Everything dry out completely before harvest.

Also so many stone. can't Even dig 5 cm.

This property need soil to be productive in agricultural Also Flooded occurs when we experience heavy rains.

Please do more research and rethink this proposed land map. As it includes residential lots churches graveyards etc.

I want to volunteer my time to helping people and society my religion with SGI-USA Buddhism organization now . Ours philosophy is human connections to environment ,this earth too.

I agreed agriculture is important but I believe, Here is America. We have freedom and respect for each other's life and culture, work and Property .

We bought this residence in August 2018.

Because this was not agriculture land with a history of the lot being a residential Single family lot for over 80 years with no fees or dues Associated with the purchase.

This is the reason we bought this Property Because it had no fees or dues. We had the opportunity to buy ag land when we were searching for this property. We could have bought 7 acres for \$420000 ( 1acre=\$60,000) In comparison to what we paid for our Residential lot that is less than an 1acre (0.85) for \$522,500 We bought a dilapidated home in need of remodeling greatly because of the size of the yard and it's-potential. My mortgage on this property is for a single-family home if the property is re-designated to ag land it would diminish my property

value greatly in my particular case I would not even be able to sell to a farmer for the simple fact that my land is too small full of rocks and has flooding problems soil condition problems along with no access to agricultural water. For these reasons we request an exemption from the proposed agricultural map designation.

PS

I resaved at April 28,29th ZOOM MTG.  
Can I have Japanese translator?

Mieko Yamamoto  
86-124 Kuwale rd Waianae HI 96792

Email: ponoilio@hotmail.com

Sent from my iPhone

**From:** [DBEDT LUC](#)  
**To:** [Quinones, Natasha A](#)  
**Cc:** [Orodenker, Daniel E](#); [Derrickson, Scott A](#)  
**Subject:** FW: [EXTERNAL] Important Agricultural Lands  
**Date:** Monday, April 26, 2021 8:10:59 AM

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IAL testimony

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**From:** Linda Baptiste <baptiste.linda@gmail.com>  
**Sent:** Sunday, April 25, 2021 3:00 PM  
**To:** DBEDT LUC <dbedt.luc.web@hawaii.gov>; Rblangiardi@honolulu.gov  
**Cc:** Malahoff, Andrew <amalahoff@honolulu.gov>; mformby@honolulu.gov  
**Subject:** [EXTERNAL] Important Agricultural Lands

Linda Baptiste  
41-849 Kakaina Street  
Waimanalo, Hawaii 96795

April 25, 2021

Mr. Daniel E. Orodenker  
Executive Officer  
Land Use Commission  
P. O. Box 2359  
Honolulu, Hawaii 97804-2359

Email: [dbedt.luc.web@hawaii.gov](mailto:dbedt.luc.web@hawaii.gov)

Subject: C&C of Honolulu - Important Agricultural Lands (IAL) Designation

RE: 4-1-025-006 & 4-1-025- 007 (My Property)

Dear Mr. Orodenker:

Please make sure that the following is submitted as public testimony for C&C HNL IAL.

I am opposed to the planned IAL program which will adversely affect my property and respectfully request that my property be excused and excluded from any IAL designation.

I am a widow. My property has been in our family for generations, it has been our family home where my husband and I are raised our children, grand-children and great grand-children, and will stay in our family for generations to come. My husband was born and raised in Hawaii and was a Veteran who worked hard to provide for his family and leave us with our home, security and a legacy.

Agricultural activity has been conducted on our property for decades and continues to be conducted. This IAL is a flawed and defective designation that will severely adversely affect us.

1. **I was NEVER informed of this IAL Designation affecting my property.** Had I been informed, my husband and I would have immediately and formally objected to this change and taken all legal measures to protect our property from this.
2. My neighbor received a letter from the LUC dated April 12, 2021, regarding her agriculture property and

asked me if I received a letter. **I did not receive a letter from the LUC.** My initial impression was that this was affecting her property and not mine.

3. I received an awareness letter from a Law Firm dated 4/12/2021, informing me that my property was indeed affected by this IAL. This is the first time that I had any knowledge that my property was involved with this IAL. **LET ME REPEAT: This is the first time that I had any knowledge that my property was involved with the IAL.**

4. As such, because I have not been informed properly and in a timely manner from any governmental entity, **I FIRMLY BELIEVE THAT MY DUE PROCESS UNDER THE LAW HAS BEEN DENIED.**

5. I do not feel that government statutory requirements have been met regarding the IAL and my property.

6. The City NEVER consulted me or informed me of any options, rights, criteria or negative impacts on my property. It is completely unacceptable that notification from a Law Firm was how I found out about IAL.

7. I am completely opposed to this IAL moving forward.

**I am officially requesting that my property indicated above be excluded and exempt from the IAL.**

In my opinion, this IAL designation is poorly planned and regarding owner notification poorly executed. It appears to encompass a broad sweep of ambiguity, which is poorly and incompletely thought out. IAL adversely affects many law abiding land owners on multiple levels. There is a serious problem in that there are so many land owners indicating that they also were not or have not been informed of this.

Thank you in advance for your time and consideration of these issues.

Sincerely,

Linda Baptiste

Linda Baptiste  
Phone 808 259-9648

Linda Baptiste  
[baptiste.linda@gmail.com](mailto:baptiste.linda@gmail.com)

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**From:** [DBEDT LUC](#)  
**To:** [Orodenker, Daniel E](#); [Derrickson, Scott A](#); [Quinones, Natasha A](#)  
**Subject:** FW: [EXTERNAL] Important Agricultural Lands / Contested Designation Request  
**Date:** Monday, April 26, 2021 7:27:56 AM

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**From:** Bonnie Grossi <[grossib001@gmail.com](mailto:grossib001@gmail.com)>  
**Sent:** Sunday, April 25, 2021 11:06 AM  
**To:** DBEDT LUC <[dbedt.luc.web@hawaii.gov](mailto:dbedt.luc.web@hawaii.gov)>  
**Subject:** [EXTERNAL] Important Agricultural Lands / Contested Designation Request

TRIPLE G STABLES, LLC  
87-1161 Iliili Road  
Waianae, Hawaii 96792  
TMK: 1-8-7-019-023-0000-000

RE: Conformance of C&C of Honolulu Important Agricultural Lands (IAL) Recommendations

Land Use Commission Meeting April 28-29, 2021

TO: The Land Use Commission Members  
[dbedt.luc.web@hawaii.gov](mailto:dbedt.luc.web@hawaii.gov)

Triple G Stables LLC (Stables) at the above referenced TMK is hereby registering a formal objection to being included in the IAL designation for the following reasons:

1. The C&C of Honolulu did not fully discuss the details and consequences of how an IAL designation could impact the property.
2. The narrow criteria the C&C of Honolulu used for recommending an IAL should not be adopted by the Land Use Commission. A more comprehensive process should be utilized.
3. In accordance with HRS§ 205-47(d)(5) the C&C of Honolulu did not provide a format for the Stables to articulate its position on being designated as an IAL.

At this time a Contested IAL Designation is also being requested.

Respectfully,  
Bonnie Costa Grossi, president  
(808) 260-8830  
[grossib001@gmail.com](mailto:grossib001@gmail.com)



April 25, 2021

Mr. Daniel Orodener, Executive Officer

Land Use Commission

235 South Beretania Street, Suite 406

Honolulu, Hawaii 96813

Email: [DBEDT.LUC.WEB@HAWAII.GOV](mailto:DBEDT.LUC.WEB@HAWAII.GOV)

Dear Mr. Orodener

This correspondence is in regards to the proposed designation of Important Agricultural Land on our property.

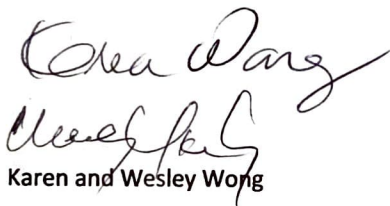
Tax map key: 870210150000

Address: 87-1659 Kapiki Road

Owners: Karen and Wesley Wong

The property in consideration for IAL was used for livestock farming. The land is not well suited for crops as the property is mostly coral with few top soil areas. We no longer farm and the farm has been inactive for about 20 years. We have no plans to farm in the future. Designating this property as IAL is against our wishes. We previously wrote a letter in 2017 declaring our stance on this matter but received no correspondence. Please consider our request in this matter.

Thank you,



Karen and Wesley Wong

94-1143 Pohnu Place

Waipahu, Hawaii 96797

Email: [myguja@aol.com](mailto:myguja@aol.com)

April 25, 2021

To: Honolulu Hawaii Land Use Commission / [dbedt.luc.web@hawaii.gov](mailto:dbedt.luc.web@hawaii.gov) admin@dmlhawaii.com

P.O Box 2359 Honolulu, Hawaii 96814-2359

FR: Gerald YH Young Trust/ Diana Young located at 41-655 #A Kumuhau Street, Waimanalo 96795 Owner of TMK# 41018022

RE: AL LAW/Statue 205-47-48-49 Agricultural Land IAL

Dear Hawaii State Government:

I am the owner of this property that has been in our family for 4 generations and this is our home. The property is in a trust so that continued generations will be able to carry on. My husband was born here resident of Hawaii was a school teacher for 32 years. He made sure the next generation will be passed down and I am a widow of 2 years. The first notification of the proposed IAL designation was the letter dated April 12, 2021 from State of Hawaii Land Use Commission advising of the proposed designation for the first meeting/hearing on April 28 and April 29, 2021.

There is confusion within that correspondence as the letter states at the March meeting there will no be considering or determining the legal rights, duties or privileges of specific landowners or issues relating to particular properties. Was there a previous held meeting, if so is the April meeting/hearing the second notification? **There was no formal notification of that March meeting or any previously held meetings and/or hearings, again, prior to the letter dated April 12, 2021.** As proposed designees, should there not be clearly defined qualifying classifications, rights of use, options for the land and general public knowledge that allow the proposed designees to be able to make an informed decision to the use of the land? I do not feel that adequate time or information was provided prior to the letter informing us of the meeting in a way that was accessible to all.

The letter states that the Commission needs to understand what the County has done in connection with its designation as well as deciding if the County has compiled with the legal requirements regarding the recommendation for designation. As the landowner I feel that we should have been communicated with and provided with the legal requirements, this has not been provided to myself or the other proposed landowners. As a matter of fact some of them did not receive the April 12, 2021 letter and were completely unaware and shocked as I asked around to see what this letter was and if anyone knew of the potential change to the IAL status. Lack of communication and knowledge has not prepared us to be able to render a decision of the IAL status. The information I have been able to obtain through other sources is not favorable and I do not find our land/home would benefit. We have a dedicated ten years and have dedication for the next ten years. We have followed all rules/guidelines in this AG program.

I am requesting to be removed from this IAL Zoning on our property, we are doing agricultural already and plan intend to continue.

As proposed designees we should have had our rights communicated clearly, had knowledge of in a language that is understood by all and been informed of the hearings/meetings in a timely manner. I do not believe that 16 days prior is ample notification for a proposed change in the use of my land.

Please be advised that this is my formal notification of my objection to the IAL status as this is my first time being advised of the IAL proposed status, otherwise my objection would have been submitted prior. We do not want to be subject to the use and development limitations imposed by HRS 205-45.5.

Thank you,

*Diana Young*, Diana Young

**ROBERT L CHERRY**

**P. O. BOX 710**

**WAIALUA, HAWAII 96791**

**April 25, 2021**

**State Land Use Commission**

**P.O. Box 2359**

**Honolulu, Hi 96804**

To Members of the Land Use Commission,

My name is Robert Cherry, Waialua Landowner

My TMK'S #'s 67-03-11, 17, 19 & 660280170000

I grew up in Colorado & Arizona farming all my young life. In 1975 at the age of 19 I moved to Hawaii & have worked in the livestock industry from 1975 to present day.

### **OPPOSITION TO IAL**

I oppose mandatory IAL designation of my land, it should be voluntary.

With the new restrictions proposed for IAL land:

1. Occupancy limits on farm dwellings
2. Zoning & permitting challenge's
3. Devaluation of our properties

## **CRITERIA**

According to Hawaii revised statute 205-44(c):

Standards & criteria that should be followed, consist of 8 different standards and criteria which should be weighed equally.

Instead, the City & County of Honolulu has chosen to dilute the standards & criteria down to just 1.

The majority of my land is steep, rocky, highly erodible soil with no clean irrigation water available. My land historically is only suitable for grazing, with some small areas suitable for orchard or farming. Again, no clean irrigation water.

This type of land under no circumstances fits the term "important agriculture land".

In closing I look forward to an opportunity to sit down with members of the LUC to further discuss these matters.

Thank you,

Robert Cherry

My contact information:

808-864-9796 or rcherry55@gmail.com

WRITTEN STATEMENT TO LAND USE COMMISSION FOR APRIL 28, 2021 HEARING ON THE  
CONFORMANCE OF C&C HONOLULU IMPORTANT AGRICULTURAL LANDS (IAL)  
RECOMMENDATION TO APPLICABLE STATUTORY AND PROCEDURAL REQUIREMENTS

I, along with my husband, son, mother-in-law and grandmother-in-law, live at 85-1516 Waianae Valley Road on one of the parcels the City and County of Honolulu would like to re-designate as Important Agricultural Lands (“IAL”). This is land that has been in my husband’s family since the 1960s and we are extremely fortunate to call this land home. Living at the base of Mount Ka’ala with all the beauty and remoteness the Waianae Valley offers is a blessing not many people have and my husband and I look forward to raising our son in this environment and with the opportunities the land offers. We do not oppose the land being re-designated as IAL as the benefits of such a designation allows our family to cultivate the land for agriculturally, sustainable purposes which has been the goal for my husband since he returned to Waianae from the mainland in 2018.

However, with this beauty and remoteness comes dangers, specifically fires. Each year there are several fires, either intentionally or accidentally set, that occur along upper Waianae Valley Road (the one lane road leading to the base of Mount Ka’ala). Approximately every other year there is a fire that either destroys land and properties in our area – land that is generationally owned and occupied – or comes close to doing so. In fact, two weeks after my son was born last summer, a fire ravaged hundreds of acres throughout Waianae Valley and came within 100 yards of our property. Had it not been for the quick response and actions taken by the Honolulu Fire Department (“HFD”), my family (and my neighbors) would have lost everything. The reason we would have lost everything comes down to one single factor – the inability to obtain property and/or homeowners’ insurance because the property does not have a fire hydrant within the necessary range required by Hawai’i insurance companies (within 1,000 feet). Despite having three main Board of Water (“BoW”) water lines immediately outside our front gate and a BoW pump station directly across the street from our property, the closest fire hydrant to our property (which is also surrounded by three other properties with three clusters of homes) is at the beginning of upper Waianae Valley Road where the bus turnaround is, more than 350 yards away. When fighting fires along our road, the HFD has to refill its water truck throughout the duration of its firefighting work from this point rather than having the ability to tie into a fire hydrant in close proximity to where the fire is located. There is not one single fire hydrant along

WRITTEN STATEMENT TO LAND USE COMMISSION FOR APRIL 28, 2021 HEARING ON THE  
CONFORMANCE OF C&C HONOLULU IMPORTANT AGRICULTURAL LANDS (IAL)  
RECOMMENDATION TO APPLICABLE STATUTORY AND PROCEDURAL REQUIREMENTS

this road that will now contain IAL parcels. While we credit the HFD with its great work in fighting fires, there is always a concern that one of these fires will be too large and be too great to fight, thus destroying the properties and livelihoods of the landowners along upper Waianae Valley Road. Without fire hydrants being placed along this road and available to IALs, should such a travesty occur, none of the landowners will have the assurances that they will be able to rebuild because of the lack of insurance to cover their losses. I submit this written statement and provide this background, not specifically in reference to my husband's family land and its surrounding area along upper Waianae Valley Road, but to address all IALs on O'ahu that may be affected by fires and without recourse or the financial means to rebuild should fires decimate properties and lands.

The inability to insure IALs along upper Waianae Valley Road (and more than likely along many of the roads throughout the county abutting properties that are and will be designated as IAL) is frightening and flies in the face of the City and County of Honolulu's desire to protect high-quality farm land that is capable to handle active agricultural production. One of the main purposes of designating land as IALs is to "promote[] the economic viability of farming and make it possible for landowners to keep agricultural lands active, ultimately leading to the long-term *preservation and protection* of productive agricultural land." Report on the O'ahu Important Agricultural Land Mapping Project, August 2018, p. 1 (citing Hawaii Revised Statutes, Chapter 205-42) (emphasis added). Additionally, one of the main IAL incentives is to provide "[s]tate funding mechanisms to fund business viability and *land protection programs*[]" Id. at p. 15-6, citing HRS § HRS 205-26(c)(8) (emphasis added). Thus, it is the position of the City and County of Honolulu that IALs are to be preserved and protected in order to "promote the long-term agricultural productivity and use of important agricultural lands[.]" Id. at p. 15. In order for such preservation and production to occur – and to provide assurances to IAL landowners throughout the county that their livelihoods will not be destroyed by fires because of the un-insurability of their lands due to lack of available fire protection – fire hydrants are necessary and should be required to be installed along roads containing IALs.

WRITTEN STATEMENT TO LAND USE COMMISSION FOR APRIL 28, 2021 HEARING ON THE  
CONFORMANCE OF C&C HONOLULU IMPORTANT AGRICULTURAL LANDS (IAL)  
RECOMMENDATION TO APPLICABLE STATUTORY AND PROCEDURAL REQUIREMENTS

Therefore, I respectfully request that the City and County of Honolulu, in furthering their goals in preserving and protecting IALs and the benefits stemming from such lands, begin the process to install fire hydrants where possible along IAL roads to provide assurance to IAL landowners that their livelihoods and land, both for themselves and generations to come, will be preserved and protected. This simple means of fire protection, available to the vast majority of other types of landowners in the county, will be a huge step for IAL landowners in insuring their properties should they lose everything to fires (and providing them with the means to start over) and for the City and County of Honolulu in meeting its goal of sustaining agriculture lands and activities on O'ahu. I, along with my family and neighbors, hope that the City and County of Honolulu will take the time to evaluate such a request and consider implementing fire protection measures for IALs which, in turn, will only benefit the entirety of O'ahu and its people.

Mahalo.

Michelle Correia

Resident of 85-1516 Waianae Valley Road