

Hakoda, Riley K

From: Doug Bonney <weldman47@yahoo.com>
Sent: Monday, November 16, 2020 11:36 AM
To: DBEDT LUC
Subject: [EXTERNAL] Deny FEA and Require an EIS, please?

Aloha Land Use Commission Members,

Stop the giant 4g,5g drone project on Lanai! Before any more work is done on this project we need an Environmental Impact Statement! The very last thing we need is a giant drone flying over the islands spreading the 5g microwaves!

Hakoda, Riley K

From: Jennifer Wood <woodbridgepress@gmail.com>
Sent: Monday, November 16, 2020 11:34 AM
To: DBEDT LUC
Subject: [EXTERNAL] Please Deny FEA and Require an EIS

Subject line: Please Deny FEA and Require an EIS

I am writing to request a full blown environmental impact statement (EIS) for the proposed land use district change on Lanai. Here's why:

- 1) According to HAPSMobile officials quoted in the Maui News, August 4, 2020, plans continue for the giant 4G/5G drone project on Lanai. Here is a link to the article: <https://www.mauinews.com/news/local-news/2020/08/large-drone-test-flight-successful-lanai-activities-still-being-planned/>
- 2) In early 2019, a 16,500 square foot HAPSMobile hangar to house two giant drones, and a giant drone airstrip with a 1000 foot diameter landing circle and 3000 foot diameter over-run circle were both created on agricultural land without proper permitting. These illegal structures still exist and the Pulama Lanai proposed 200 acre industrial park is right adjacent to this illegal drone area.
- 3) There is every reason to believe the giant drone project would make use of the adjacent industrial areas and, consequentially, would involve significant environmental impacts that are not addressed in the current environmental assessment.
- 4) Please DENY the FEA and require a full blown Environmental Impact Statement (EIS).
- 5) Please also build in specific assurances that none of the adjacent lands will be used in connection with 5G or the giant drone project.
- 6) Thank you! dbedt.luc.web@hawaii.gov

Sincerely

Jennifer Neupane

Hakoda, Riley K

From: Bill or Bobbie Best <bestb002@hawaii.rr.com>
Sent: Monday, November 16, 2020 10:57 AM
To: DBEDT LUC
Subject: [EXTERNAL] Please: Deny FEA and Require an EIS

Aloha Land Use Commission Members,

We are requesting a thorough EIS for the proposed land use district change on Lanai.

1) According to HAPSMobile officials quoted in the Maui News, August 4, 2020, plans continue for the giant 4G/5G drone project on Lanai. See: <https://www.mauinews.com/news/local-news/2020/08/large-drone-test-flight-successful-lanai-activities-still-being-planned/>

2) In early 2019, a 16,500 square foot HAPSMobile hangar to house two giant drones, and a giant drone airstrip with a 1000 foot diameter landing circle and 3000 foot diameter over-run circle were both created on agricultural land without proper permitting. These illegal structures still exist and the Pulama Lanai proposed 200 acre industrial park is adjacent to this illegal drone area.

3) Obviously the giant drone project would use the adjacent industrial areas which would involve significant environmental impacts that are not addressed in the current environmental assessment.

4) Please deny the FEA and require a complete Environmental Impact Statement (EIS).

5) Please also build in specific assurances that none of the adjacent lands will be used in connection with 5G or the giant drone project.

6) Mahalo!

If you have any questions about our strong concerns about 5G, we'll be happy to address that.

B. & B. Best
(808) 242-9119

Hakoda, Riley K

From: Sulara James <sulara@mind.net>
Sent: Wednesday, November 18, 2020 4:31 PM
To: Hakoda, Riley K
Subject: Re: [EXTERNAL] Written testimony submitted on the Pulama Lanai FEA issue

Aloha Land Use Commission Members,

I am writing to request a full blown environmental impact statement (EIS) for the proposed land use district change on Lanai. Here's why:

According to HAPSMobile officials quoted in the Maui News, August 4, 2020, plans continue for the giant 4G/5G drone project on Lanai. Here is a link to the article:

[https://urldefense.com/v3/__https://www.mauinews.com/news/local-news/2020/08/large-drone-test-flight-successful-lanai-activities-still-being-planned/__;!!LIYSdFfckKA!n9F-](https://urldefense.com/v3/__https://www.mauinews.com/news/local-news/2020/08/large-drone-test-flight-successful-lanai-activities-still-being-planned/__;!!LIYSdFfckKA!n9F-eF2CmO3_qc9Jwr9KrFHQCQBMh4ThKGlzZRJ1ZPApMAHgVSDyxR2NczXP5dFvIKPNXxw$)

[eF2CmO3_qc9Jwr9KrFHQCQBMh4ThKGlzZRJ1ZPApMAHgVSDyxR2NczXP5dFvIKPNXxw\\$](https://urldefense.com/v3/__https://clicks.aweber.com/y/ct/?l=FrJs3&m=ggjU1Pda4s55Kc.&b=VUj_B6cpWMI5ytvh56K9hw__;!!LIYSdFfckKA!n9F-eF2CmO3_qc9Jwr9KrFHQCQBMh4ThKGlzZRJ1ZPApMAHgVSDyxR2NczXP5dFvUTyHDT0$)

[<https://urldefense.com/v3/__https://clicks.aweber.com/y/ct/?l=FrJs3&m=ggjU1Pda4s55Kc.&b=VUj_B6cpWMI5ytvh56K9hw__;!!LIYSdFfckKA!n9F-eF2CmO3_qc9Jwr9KrFHQCQBMh4ThKGlzZRJ1ZPApMAHgVSDyxR2NczXP5dFvUTyHDT0\\$ >](https://urldefense.com/v3/__https://clicks.aweber.com/y/ct/?l=FrJs3&m=ggjU1Pda4s55Kc.&b=VUj_B6cpWMI5ytvh56K9hw__;!!LIYSdFfckKA!n9F-eF2CmO3_qc9Jwr9KrFHQCQBMh4ThKGlzZRJ1ZPApMAHgVSDyxR2NczXP5dFvUTyHDT0$)

In early 2019, a 16,500 square foot HAPSMobile hangar to house two giant drones, and a giant drone airstrip with a 1000 foot diameter landing circle and 3000 foot diameter over-run circle were both created on agricultural land without proper permitting. These illegal structures still exist and the Pulama Lanai proposed 200 acre industrial park is right adjacent to this illegal drone area.

There is every reason to believe the giant drone project would make use of the adjacent industrial areas and, consequentially, would involve significant environmental impacts that are not addressed in the current environmental assessment.

And last but not least, I believe that Lanai's agricultural lands should be preserved as much as possible to honor the rights of the Hawaiians and their descendants to use the lands as they desire, whether that be to grow their own food or be free to use the land religiously and culturally as they historically have..

Please deny the FEA and require a full blown Environmental Impact Statement (EIS).

Please also build in specific assurances that none of the adjacent lands will be used in connection with 5G or the giant drone project.

Thank you, Sulara James (Kihei)

Hakoda, Riley K wrote:

> I do not show your email in our inbox- sorry. Please re-send it... I've only rcvd this email up till now... Mahalo!

>

> -----Original Message-----

> From: Sulara James <sulara@mind.net>

> Sent: Wednesday, November 18, 2020 2:57 PM

> To: Hakoda, Riley K <riley.k.hakoda@hawaii.gov>

> Subject: [EXTERNAL] Written testimony submitted on the Pulama Lanai

> FEA issue

>

> Aloha,

>

> I submitted written testimony on the Pulama Lanai FEA issue scheduled for today's LUC meeting and my testimony is not included in the online Public Comments webpage. I submitted it on November 16 to this email address dbedt.luc.web@hawaii.gov <mailto:dbedt.luc.web@hawaii.gov> and it is showing in my "sent mail" folder and was not returned or bounced. I'm wondering why it is not shown as a Public Comment and if there may be others whose testimony is missing as well?

>

> Mahalo, Sulara James (Kihei)

>

Hakoda, Riley K

From: Orodenker, Daniel E
Sent: Sunday, December 22, 2019 6:42 PM
To: Hakoda, Riley K
Subject: Fwd: Comments on Docket No. A19-809 Pulama Lana'i for Miki Basin Industrial Park
Attachments: Comments on Docket No. A19-809 Pulama Lana'i.pdf

FYI

Daniel E Orodenker
Executive Officer, Land Use Commission

From: Robin Kaye <rkayelny@gmail.com>
Sent: Sunday, December 22, 2019 10:50:26 AM
To: Orodenker, Daniel E <daniel.e.orozenker@hawaii.gov>; Lynn McCrory <lmccrory@pulamalanai.com>; Peter T Young <PeterYoung@hookuleana.com>
Subject: Comments on Docket No. A19-809 Pulama Lana'i for Miki Basin Industrial Park

Please see the attached comments on Docket No. A19-809 Pulama Lāna'i's Draft EA for Miki Basin Industrial Park.

Aloha,

Robin Kaye

--

Robin Kaye
P.O. Box 631313
Lana'Lāna'i, HI 96763
808-559-6124 (m)
rkayelny@gmail.com

December 22, 2019

Daniel Orodenker, Executive Director
State of Hawai'i Land Use Commission
235 S. Beretania Street, Room 406
Honolulu, Hawai'i 96813 daniel.e.orozenker@hawaii.gov

Lynn McCrory, Senior Vice President of Government Affairs
733 Bishop Street, Suite 2000
Honolulu, Hawai'i 96813 lmccrory@pulamalanai.com

Peter T Young, President Ho'okuleana LLC
1539 Kanapu'u Drive
Kailua, Hawai'i 96734 PeterYoung@Hookuleana.com

RE:

Docket No. A19-809 Pulama Lana'i
Draft Environmental Assessment (DEA) and AFONSI
Proposed Miki Basin Industrial Park
Lana'i Airport, Lana'i, State of Hawai'i
Tax Map Key No. (2) 4-9-002:061 (por.)

Dear Mr. Orodenker:

Pūlama Lāna'i has requested the LUC act as the accepting authority for a petition requesting a Land Use District Boundary Amendment, Change in Zoning, and building and subdivision permits for a proposed 200-acre Miki Industrial Park, and submitted an Environmental Assessment in support of a FONSI designation. (EA-2).

I. THE PROPOSED MIKI INDUSTRIAL PARK MUST BE ASSESSED FOR ITS CUMULATIVE IMPACTS AND EFFECT ON THE ISLAND'S WATER RESOURCES.

On September 25, 2019, in response to LUC Commissioner Okuda's question, Pūlama Lāna'i's attorney insisted that the proposed Miki Basin Industrial Park was a "stand-alone" proposition.¹

This contention should be heavily scrutinized.

¹ <http://files.hawaii.gov/luc/minutesofmtgs/2019/09252019kahului.pdf>

Pūlama Lāna‘i estimates an additional 1,099,500 GPD will be required to support the Industrial Park at full build-out, which it estimates could take 30 years. There is not a single mention of incremental usage over that period, nor commitment to provide usage figures as it develops. Instead, the EA offers simply that “*there is time to monitor [water] as the incremental development moves forward.*” EA at 67.

The 2016 Lāna‘i Community Plan starkly laid out the limitations on Lāna‘i’s existing water system:

“The capacity of existing water resources may be insufficient to support new growth. Projects that already have entitlements could consume most of the remaining capacity of Lana‘i’s single aquifer. It may be necessary to increase the capacity of water resources for new development.” CP at 2-4.

As a result, Pūlama Lāna‘i proposed developing a desalination plant in the Community Plan:

Pūlama Lāna‘i told the community that it was “exploring the option of developing desalination plants that would create potable water out of saltwater. Producing potable water through desalination would greatly decrease the potential of over pumping the aquifer” and these desal plants would “increase available daily fresh water from the current 4 MGD to 10 MGD.” CP at 2-7 and 6-2.

Although the Lāna‘i Community Plan Advisory Committee clearly relied on Pūlama’s desal promises in stating it had: “*predicated their decisions on the availability of significant additional water sources for future development proposals,*” CP at 7-3, Pūlama Lāna‘i has since abandoned any plans for desal; all exploratory wells have been capped; and the EA makes no mention of desalination.

Now, along with proposing additional long-term industrial build-out at Miki Basin, Pūlama Lāna‘i simply kicks the can down a 30-year road with respect to how it might meet the additional water demands the Miki Industrial Park would require;² this is especially troubling in light of the fact that a mere 20-acre industrial condominium development at Miki has yet to be completed - after 20 years - its water use as a result is unknown, and there are a multitude of additional development plans on the books, only two of which were mentioned in the EA: a 201H housing development that will require

² Section 4.6.1 of the EA states that sometime in 2019 some unidentified entity at CWRM “*allowed for the possibility that there are seven additional aquifers that could provide water to Lāna‘i with up to a SY of 36M GPD.*” EA at 49. Notably this assertion is made with no citation or attribution and is thoroughly useless as predictive of the island’s sustainable yield, which remains 6M GPD.

121,700 GPD (EA-68) and a Koele Project District amendment that projects use of 246,392 GPD (EA-70).

Not mentioned or discussed are many additional development plans detailed in the Community Plan (which largely relied on the abandoned desal proposal), among which are:

- A 73-acre County affordable housing project (this is in addition to and separate from Pūlama’s housing plans);
- A 50-acre Tennis Academy Park, including housing;
- A 524-acre University and Research Institute;
- A Gateway Park of 16 acres;
- Rural Residential 50-acre area; and
- 105-acre Mixed Use Residential development, Manele-Mauka.

The following chart details proposed additional developments from the Community Plan:

9 | LAND USE

| Growth Area | Land Use Designations | | | | | | | | Total Acres |
|-------------------------------------------|-----------------------|-------|-----------|------------------|------------------|---------------------|------------|------------|--------------|
| | Mixed-Use Residential | Hotel | Airport | Light Industrial | Heavy Industrial | Public/Quasi-public | Park | Rural | |
| Lānaʻi City | | | | | | | | | 1,488 |
| Lānaʻi City Expansion* | 546 | | | | | 524 | | | |
| University Campus | | | | | | | 50 | | |
| Tennis Academy | | | | | | | 280 | | |
| Linear Park/Drainage | | | | | | | 16 | | |
| Gateway Park | | | | | | | | 50 | |
| Rural Residential | | | | | | | | | |
| Film Studios | | | | 22 | | | | | |
| Airport | | | | | | | | | 246 |
| Enhancement of present airport facilities | | | 46 | | | | | | |
| Miki Basin Industrial | | | | 100 | 100 | | | | |
| Manēle | | | | | | | | | 181 |
| Manēle Mauka | 105 | | | | | | | | |
| Rural Residential | | | | | | | | 76 | |
| Kaunālapaʻaʻii | | | | | | | | | 60 |
| Ocean Resources Heavy Industrial | | | | | 10 | | | | |
| Kaunālapaʻaʻii Mixed-Use Residential | 50 | | | | | | | | |
| TOTAL ACRES | 701 | | 46 | 122 | 110 | 524 | 346 | 126 | 1,975 |

*Note. Includes proposal to incorporate County Affordable Housing Project into new land use designation.

II. PŪLAMA LĀNAʻI HAS FAILED TO SUPPORT SMALL SUSTAINABLE BUSINESS GROWTH IN THE PAST.

Pūlama Lānaʻi states in the EA that the Miki Industrial Park expansion is consistent with the Lānaʻi Community Plan and furthers Pūlama’s desire to “foster the growth of small businesses by providing support in key areas such as marketing and human resources and

by expanding the amount of commercial and industrial space available for lease and for sale.” CP at 6-2.

Unfortunately, Pūlama’s practices have not always supported this philosophy, to the detriment of Lāna’i residents trying to contribute to Lāna’i’s economy.

For several years, a native Hawaiian-owned business — The Lāna’i Ohana Poke Shop — operated out of a small space controlled by Pūlama Lāna’i in Lāna’i City. This very successful family-operated shop served poke to residents, construction workers, and tourists alike. Its poke bowls were statewide favorites. And then Larry Ellison’s Richard’s Market began selling poke bowls, with larger portions and lower prices. When Pūlama Lāna’i’s then-Vice President for Community Relations was asked why they would do that, her response was “we believe that competition is good.” Really? Competition between the deep pockets of Larry Ellison and a small, Lāna’i native Hawaiian family?

A similar result of the proposed “sustainability” proclaimed by Pūlama Lāna’i in this EA happened to a small fishing charter operation. Pūlama Lāna’i simply brought in their own boats, hired their own operators, and put the local fishing charter business out of work.

Lāna’i had a small car rental operation. Pūlama Lāna’i put them out of business and now runs its own Lāna’i Car Rental.

Pūlama states that it provides green waste recycling and makes compost available to residents. EA at 72. Although residents continue to supply green waste to Pūlama, compost has not been available to residents for close to six months.

Pūlama Lāna’i says its 200-acre master-planned light and heavy industrial development will abut “the existing 20-acre Miki Basin Industrial Condominium,” EA-11, but this 20-acre project has languished uncompleted for close to 20 years; there was no discussion before the LUC in September, nor is there any in the EA, on the status of a mandate to sell 50% of it fee simple.

Not only has the Miki Basin 20-acre condominium project not materialized, Pūlama now apparently wants to reserve the right to maintain total control over the additional 200-acre industrial development. EA at 2.

So it’s with a hearty dose of salt that the LUC should digest Pūlama Lāna’i’s “commitment” to making Lāna’i’s economy diversified and sustainable.

Conclusions:

- 1) No further approvals for additional industrial development should be granted until the conditions of Ordinance No. 2895 (Bill No. 79 of 2000) have been complied with. Specifically, PL is required to offer 50% of the 20 acres in fee and has not done so. _
- 2) A FONSI is an inappropriate conclusion to reach, given the fragile water resource available to Lāna'i and the many published development plans already on the books for Lāna'i, without further exploration and firm and timely commitments from Pūlama Lāna'i regarding funding of additional water resource; there is a reason why most of Lāna'i's high-level wells have been drilled in the Leeward aquifer: the windward side is steep, mountainous, and inaccessible. To simply say that it's "available" for future wells is an empty promise.
- 3) No amendments, zoning changes or approvals should be granted until significant conditions and strenuous reporting requirements are put in place by the LUC.
- 4) Pūlama should be held to its representations regarding supporting sustainable growth for small businesses and required to explain and justify to the LUC any decision to withhold any portion of the 200-acre industrial park from sale.

Sincerely,

Robin Kaye
511 Ilima Ave.
Lāna'i city, HI 96763
808-559-6124 rkayelny@gmail.com

Hakoda, Riley K

From: Orodenker, Daniel E
Sent: Monday, December 23, 2019 2:12 PM
To: Hakoda, Riley K
Subject: FW: [EXTERNAL] Opposing proposed Lana'i land use change

Daniel E. Orodenker
Executive Officer, Land Use Commission

From: Debra Greene <debra@DebraGreene.com>
Sent: Monday, December 23, 2019 2:00 PM
To: Orodenker, Daniel E <daniel.e.orozenker@hawaii.gov>
Cc: lmccrory@pulamalanai.com; PeterYoung@Hookuleana.com
Subject: [EXTERNAL] Opposing proposed Lana'i land use change

Aloha Executive Director Daniel Orodenker,

I am writing on behalf of Keep Your Power, a coalition of concerned citizens, residents of Hawaii, who oppose the application submitted by Pulama Lana'i to change the land use designation for the area by Lana'i airport from agricultural to urban.

In June of this year the Research Corporation of the University of Hawaii (RCUH), on behalf of Alphabet (Google), tech giant SoftBank and defense contractor AeroVironment, submitted an application to the Lana'i Planning Commission to approve use of agricultural land to build a second airport and turn Lana'i into a giant drone manufacturing plant and launchpad.

In fact, RCUH went ahead and built an airstrip and a 16,500 square foot drone hangar on agricultural land without permits or approvals. Clearly they were not acting in good faith.

The "after-the-fact" RCUH application was resoundingly opposed by Hawaii residents, to the extent that the application was quickly modified due to opposition and eventually withdrawn. Their application was also opposed by Hawaiian cultural practitioners in a lawsuit. Despite this opposition, the current proposed upzoning from agricultural to urban would accomplish what RCUH was trying to do. That is not right.

We oppose this zoning change. Lana'i does not need a second airport, nor the loss of agricultural land. Food production is more important than industrial development. And the rest of the state, and our ocean inhabitants, should not have to suffer the onslaught of highly experimental football field sized drones beaming down toxic radiation in our airspace, because of the desire of a few.

Sincerely,

Debra

Debra Greene, PhD
Founder
KeepYourPower.org

PHONE: 808-874-6441
WEBSITE: www.KeepYourPower.org

Sent from my faster, safer, more secure HARDWIRED computer

Hakoda, Riley K

From: Orodenker, Daniel E
Sent: Monday, December 23, 2019 3:23 PM
To: Hakoda, Riley K
Subject: Fwd: [EXTERNAL] Re: Opposing proposed Lana'i land use change

Daniel E Orodenker
Executive Officer, Land Use Commission

From: Debra Greene <debra@DebraGreene.com>
Sent: Monday, December 23, 2019 2:34 PM
To: Orodenker, Daniel E
Cc: lmccrory@pulamalanai.com; PeterYoung@Hookuleana.com
Subject: [EXTERNAL] Re: Opposing proposed Lana'i land use change

Aloha Director Orodenker,

I just wanted to clarify that my comments below are on the draft environmental assessment (the 469 page document) and I understand will receive a response. Thank you.

Sincerely,

Debra

Debra Greene, PhD
Founder
KeepYourPower.org

PHONE: 808-874-6441
WEBSITE: www.KeepYourPower.org

Sent from my faster, safer, more secure HARDWIRED computer

On Dec 23, 2019, at 1:59 PM, Debra Greene <debra@debragreene.com> wrote:

Aloha Executive Director Daniel Orodenker,

I am writing on behalf of Keep Your Power, a coalition of concerned citizens, residents of Hawaii, who oppose the application submitted by Pulama Lana'i to change the land use designation for the area by Lana'i airport from agricultural to urban.

In June of this year the Research Corporation of the University of Hawaii (RCUH), on behalf of Alphabet (Google), tech giant SoftBank and defense contractor AeroVironment, submitted an application to the Lana'i Planning Commission to approve use of agricultural land to build a second airport and turn Lana'i into a giant drone manufacturing plant and launchpad.

In fact, RCUH went ahead and built an airstrip and a 16,500 square foot drone hangar on agricultural land without permits or approvals. Clearly they were not acting in good faith.

The "after-the-fact" RCUH application was resoundingly opposed by Hawaii residents, to the extent that the application was quickly modified due to opposition and eventually withdrawn. Their application was also opposed by Hawaiian cultural practitioners in a lawsuit. Despite this opposition, the current proposed upzoning from agricultural to urban would accomplish what RCUH was trying to do. That is not right.

We oppose this zoning change. Lana'i does not need a second airport, nor the loss of agricultural land. Food production is more important than industrial development. And the rest of the state, and our ocean inhabitants, should not have to suffer the onslaught of highly experimental football field sized drones beaming down toxic radiation in our airspace, because of the desire of a few.

Sincerely,

Debra

Debra Greene, PhD
Founder
KeepYourPower.org

PHONE: 808-874-6441
WEBSITE: www.KeepYourPower.org

Sent from my faster, safer, more secure HARDWIRED computer

November 17, 2020

| | |
|-------------------------------------|-------------------------------|
| Daniel Orodener, Executive Director | daniel.e.oroedener@hawaii.gov |
| State of Hawaii Land Use Commission | riley.k.hakoda@hawaii.gov |
| 235 S. Beretania St., Room 406 | dbedt.luc.web@hawaii.gov |
| Honolulu, HI 96813 | |

RE: Docket A19-809 Lanai Resorts, LLC dba Pulama Lanai (Miki Basin)

Aloha Mr. Orodener,

My name is Solomon Pili Kaho'ohalahala. I am a seventh generation kupa'aina o Lana'i. I am submitting my testimony in opposition to the proposed industrial area expansion that will continue to aggravate and impact an already delicate and fragile island ecosystem, and ultimately diminish irreversibly what remains in our terrestrial, marine, biological, natural and cultural resources of the island of Lana'i along with the traditional and customary rights afforded by the Hawai'i State Constitution.

In the last four decades, we have witnessed and experienced the steady and continual decline of our environmental, natural, biological and cultural resources of the Island of Lana'i. A smaller and dryer island in the lee of Moloka'i to the north and the larger towering mountains of Maui to the east, often robbing us of trade wind squalls. As a result, our Lana'i lifestyle has been shaped and honed by the keen observations shared by my great-grandfather and Kupuna before him for more than seven generations. Therefore, our life and survival on Lana'i lay in the cyclical and delicate balance of life that circles between extreme and extended drought conditions followed by swollen torrential rainfall events only to assure the promise of an impending drought is soon to follow again. Ponahakeola.

In the last forty years, I have personally observed, witnessed and experienced devastating environmental and cultural resource degradation and impacts. This decline is a direct result and largely due to irresponsible land use and management practices and the steady increase and escalation of ungulate populations, specifically, free range Axis deer and Mouflon sheep. At a September 2020 presentation made by Pulama Lanai at the Hawaii Conservation Conference, it was reported that the current Lana'i Axis deer population estimate exceeds 30,000+ and the Mouflon sheep exceeds 9,000+. Coupled with the extended dry and drought conditions over several decades, unchecked ungulate overgrazing and controls, watershed deforestation and denuding, erratic climate change conditions, and

devastating flooding events triggering immeasurable sediment load discharges have collectively rendered the Island of Lana'i in a dire and critical situation that has never been experienced over the past 120 year natural and modern history of the island.

Currently, we continue to lose forest and vegetation cover that directly impact water saturation, rainfall retention and aquifer recharge. These conditions result in increased flooding events that lead to unchecked sediment loads that inundate the only fringing coral reefs and marine estuaries along the north and east nearshore coastline. Sediment load accretion in the nearshore marine environment reduces water quality with aggravating turbidity that drastically hinders coral growth, spawning and recruitment, all necessary for healthy reef ecosystems. This loss of corals reduces the needed substrate to support marine flora or algal growth that is necessary for the support of all forms of marine life. On this current track, access to continue my traditional and customary rights, practices and religion is denied and threatened with extinction.

The proposed actions of Pulama Lanai will exacerbate and deny my continued access for la 'au used in traditional, cultural and religious practices and ceremony.

The proposed actions of Pulama Lanai will have a grave impact the on the high- level aquifer and sustainable yields that not only threaten endemic species survival, but more importantly, it places a high risk on available water to the community of Lana'i.

The proposed actions in the expansion area places no requirement or responsibility of Pulama Lanai to address the uncontrolled ungulate population with mitigation measures to eliminate impacts and threats to the already fragile endemic native Hawaiian flora and fauna.

Further, the proposed actions of Pulama Lanai will not address the clear and present danger to the island's eco-systems that support the traditional and customary rights and practices related to mauka-makai concepts for sustained subsistence purposes that were possessed by ahupua'a tenants.

And further, the proposed actions of Pulama Lanai will likely re-ignite construction of the illegal 5G drone airport project that commenced without proper land use zoning, building and grading permits. The 5G project lacks information for human, flora and fauna health and safety concerns from microwave exposure, thereby raising further concerns impacting traditional and customary rights, practices and resources.

Given the outstanding issues and concerns for the Pulama Lanai proposal, it is my inherent responsibility and duty to advocate for the exercises, rights and privileges afforded me as a native Hawaiian and

provided by the "Hawaii State Constitution, Article XII, Traditional and Customary Rights, Section 7. The State affirms and shall protect all rights, customarily and traditionally exercised for subsistence, cultural and religious purposes and possessed by ahupua'a tenants who are descendants of native Hawaiians who inhabited the Hawaiian Islands prior to 1778, subject to the right of the State to regulate such rights."

In conclusion, as Kupa'aina o Lana'i, I declare my native Hawaiian heritage, steeped in the traditional and customary rights and practices that provide me with an inherent responsibility to care for the land that will in turn care for the generations yet unborn. I acknowledge and declare that the current state of affairs and conditions of Lana'i are in severe decline and potentially irrecoverable. These conditions require bold actions and a plea for extreme mitigation measures that put an end to detrimental and devastating agents of change that continuously threaten, diminish and dissolve my traditional and customary rights, religion and practices.

I implore the Land Use Commission to deny the docket proposal and direct the applicant to resolve the more urgent matters requiring immediate, expedient and long-term regenerative healing solutions to reverse the decades downward decline towards recovery.

Mahalo for your time and consideration.

O wau no me ka 'oia 'i'o,

Solomon Pili Kaho'ohalahala

POB 630044

Lana'i City, HI 96763

maunalei.ahupuaa@gmail.com

November 15, 2020

Daniel Orodener, Executive Director
State of Hawai'i Land Use Commission
235 S. Beretania Street, Room 406
Honolulu, Hawai'i 96813

daniel.e.oroedener@hawaii.gov
dbedt.luc.web@hawaii.gov
riley.k.hakoda@hawaii.gov

Re: Docket A19-809 LĀNA`I RESORTS, LLC dba PŪLAMA LĀNA`I (MIKI BASIN)

Dear Mr. Orodener:

Identifying an area to relocate existing light and heavy industrial uses away from residential areas, while facilitating the establishment of new opportunities for industrial expansion, has long been viewed as a needed objective for the island of Lāna`i.

I have reviewed the Final Environmental Assessment (FEA) Pūlama Lāna`i submitted to the Land Use Commission in June, 2020, and would like to raise several issues and/or questions that arise out of that review.

- On December 31, 2019, the state Office of Planning (OP) advised the applicant that HAR § 15-15-50 (c)(20) requires substantial completion “within ten years” and recommended that the FEA “should provide a schedule of development for each phase of the total development and a map showing the location and timing of each phase or increment.” (Exhibit K.) Applicant’s undated response to OP did not directly address this recommendation, insisting instead that “development is dependent on market conditions” and will proceed over a 30-year timeframe.
- The OP suggested in its December 31, 2019 letter that applicant “discuss how improvements will be completed to ensure that mitigation coincides with the impact created by the 200-acre industrial project.” Applicant’s undated response to OP in the FEA, Exhibit K, does not address this at all.
- On December 22, 2019, I submitted testimony pointing out the draft EA failed to acknowledge numerous projects included in the Lanai Community Plan. Applicant adjusted the final EA to acknowledge these various proposals were included in the Lanai Community Plan, but avoided any discussion of the water resources that would be needed for each project; a timeline for development; or how the projected water usage for the 200-acre parcel subject to this proceeding would be impacted should any of them proceed. (Exhibit K)
- The FEA at p. 92 asserts that “Over the construction period, the State will net about \$28.3 million from construction and related economic activities associated with the Project. At full development, the Project is expected to generate net income to the State of about \$1.9 million per year. The positive return to the State reflects the various taxes on economic activities associated with the Miki Basin Industrial Park.”

- However, the economic analysis provided in Exhibit E is based on an assumption (at p. 7) that “the lots within the Miki Basin Industrial Park will be sold to individual businesses for their use, or to developers. Total land sales are estimated at \$105 million.”
- This analysis further states (at p. 10) “It is assumed that the majority of businesses within the Miki Basin Industrial Park will own their lots. While some lots may be leased to tenants and generate rental income, rent revenue is expected to be nominal and is not estimated.”
- Applicant makes no secret of its intent to preserve the option of continuing its control of this land, stating (at p. 2 and 12 of the FEA) that “Pūlama Lāna’i may or may not go through the subdivision process; it may lease sites, rather than sell the land and subdivide.” Absent a commitment to offer even a single lot in the proposed industrial park for sale, the economic analysis is questionable.
- Applicant’s Master Water Plan states that the “proposed average day demand for full buildout of the Industrial Park, including existing use, is 1,309,000 gpd,”and concedes that the “existing water system does not have adequate source capacity and reservoir storage to support full buildout” nor do “the transmission mains meet Water System Standards for fire flow protection.” (Exhibit I, p. 5.) The FEA at p. 64 states that “Based on the existing water use, an average day capacity of 107,000 GPD is available to initially support the development of the 200-acre Industrial Park.”
 - Would using up the available 107,000 gpd serve as a trigger that all development activities must cease until one or more new wells are drilled and operating in a way that does not endanger the system, i.e. in a manner that avoids over pumping any high level compartments?

I would hope that the Commission can obtain clarifying responses to these issues prior to making a final determination on the Applicant’s FEA.

Thank you for your consideration.

Sincerely,

Robin Kaye

Robin Kaye
 P.O. Box 631313, 511 Ilima Ave.
 Lāna’i city, HI 96763
 808-559-6124 rkayelny@gmail.com