



Representative

Gene Ward



2010

AUGUST Report

District 17 • Hawaii Kai-Ka Iwi Coast-Kalama Valley • 586-6420

HAWAII KAI FARMERS ALERT

The front page of the Honolulu Star-Advertiser on Wednesday, August 11, 2010 reported a possible 25 X's rent hike for our Hawaii Kai farmers!

Kamilonui Valley is the last agricultural valley in East Oahu. This office has worked diligently over the past three years to protect this cultural and agricultural resource.

NOW IS THE TIME TO COME TO THE AID OF OUR FARMERS:

The Kamilonui Farmers Alliance is requesting that all concerned residents write to the following Kamehameha Schools trustees and staff asking that "negotiated rents be fair and reasonable and allow the farmers to stay on their land."

PLEASE E-MAIL/WRITE TO:

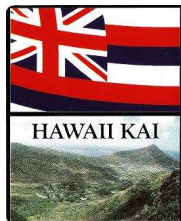
1. Corbett A.K. Kalama, Chairman
2. J. Douglas Ing, Vice Chairman
3. Micah A. Kāne, Secretary/Treasurer
4. Diane J. Plotts, Trustee
5. Nainoa Thompson, Trustee
6. Dee Jay A. Mailer, Chief Executive Officer
7. Ann Botticelli, Vice President for Community Relations & Communications
8. Kirk O. Belsby, Vice President for Endowment

SEND TO:

Mailing Address:

((Insert Name and Title))
Kamehameha Schools
567 South King Street, Suite 200
Honolulu, Hawaii 96813

E-Mail: ksinfo@ksbe.edu



KEEP THE VALLEY VALLEY!
SAVE KAMILONUI FARMLANDS

If you would like a bumper sticker to show your support, please call Judy Nii at 395-9811

MOKUHANO CLUSTER DEVELOPMENT:

Information Gathered/Under Review



As of August 31, 2010, the Department of Planning and Permitting continues to review correspondence prior to issuing a decision. This office has sent letters to the city requesting more time for public input and comment.

KA IWI WATCH UPDATE:



The Department of Planning and Permitting stated on August 30, 2010 that no applications have been filed for development on Ka Iwi.

Governor Lingle Releases \$65.5 Million for School Improvement Projects

**Kaiser Complex to
Receive \$1,552,000**



Hahaione Elementary School - \$310,000 - Renovation of rooms in building A, installation of ceiling fans, and repairs in building I.

Kaiser High School - \$625,000 - Renovations to rooms in building E, installation of water valves, and repairs to Gym.

Kamiloiki Elementary School - \$368,000 - Campus bell and fire alarm replacement, and installation of flood lights and exhaust vents.

Koko Head Elementary School - \$249,000 - For renovations in building B and various re-roofing projects.

Botanical Garden Furloughs?



Photo courtesy: NOAA

Representative Ward responded to an inquiry questioning the closure of Koko Crater Botanical Garden on city furlough days. A letter was sent to the city requesting that the garden remain open on furlough days since taxpayers continue to pay for a security guard to be present. A response from the city is pending.

CONSTRUCTION ALERTS

- **Lane closures** for the Cured In Place Pipe Lining on **Kalaniana'ole Highway** began on August 1 and will last through the month of September. Closures will occur occasionally throughout August and September. **Closures will not take place daily.**
- **The construction of a third lane** from Keahole Street to Hawaii Kai Drive has begun. Construction is anticipated to end in March 2011. Expect delays.

WANT AN E-NEWSLETTER SUBSCRIPTION?

To receive an electronic copy, just call 586-6420

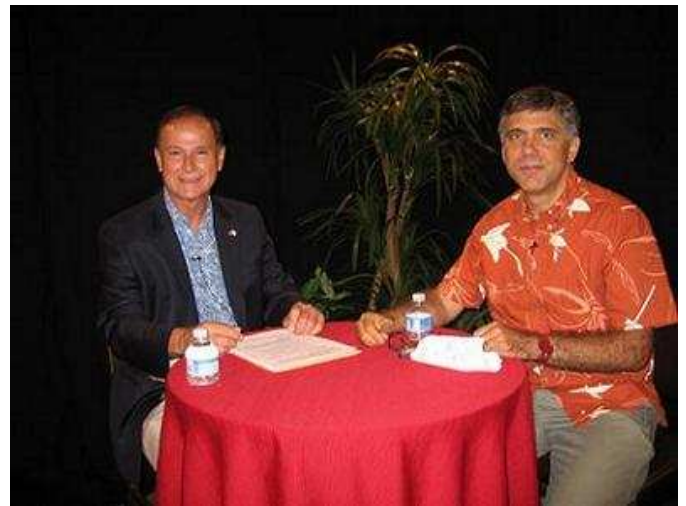
JOBS WATCH

Since the economic downturn in 2008 our biggest worry has been about jobs and when we're going to recover. The latest local unemployment figures show an increase on Molokai, while Oahu remains at 5.8%:

	<u>June 2010</u>	<u>July 2010</u>
Big Island	10.4%	10%
Maui	8.3%	8%
Molokai	12.1%	14.8%
Kauai	9%	8.7%
Lanai	7.9%	7%
Oahu	5.8%	5.8%
STATE OF HAWAII	6.9%	6.8%
NATIONAL	9.6%	9.7%

*Source: Hawaii Dept of Labor Statistics, July 2010; These rates are not seasonally adjusted.

Ward Interviews News Editor



On August 10, 2010, Representative Ward interviewed John Temple, Editor of Honolulu Civil Beat, Honolulu's newest online news service. Tune in to "Better Government" to watch their discussion on Olelo Channel 54, Fridays at 8 p.m.

CONSTITUENT'S CORNER

Have any announcements or advice for your neighbors in District 17? Call Jamé at 586-6420.



- The Department of Transportation unveiled **GoAkamai**, a continuously updated website used to provide a simple, color-coded congestion map and snapshots, as well as trip planning on TheBus and updates on road closures and detours due to construction. Visit www.goakamai.org

- **Need to contact your Congressman?** Congressman Charles Djou's Honolulu office: (808) 541-2570



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AUGUST 2010 REPORT ADDENDUM



HOUSE OF REPRESENTATIVES

STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

August 9, 2010

David Tanoue, Director
Attn: Kiyomi Oyama, Planner
Department of Planning and Permitting
650 South King Street
Honolulu, Hawaii 96813

Dear Director Tanoue,

I am writing in reference to the proposed Mokuhano Cluster Development (File Number: 2010/CL-3). Several of my constituents have approached me with many concerns regarding this planned development. I was however surprised to learn that only ten days notice was given for residents to provide feedback. More specifically a group of residents organized by the Hawaii Kai Hui have at least two dozen questions they would like answered before you proceed.

I respectfully request that the department postpone a decision on this matter for a period of 6 months. I also request that the department make an exception to policy and meet with the Hawaii Kai Neighborhood Board. This will afford Kalama Valley residents the opportunity to share their concerns with the department and the developer.

Thank you for your consideration. Should you have any questions, please feel free to call me at 586-6420.

With Aloha,

Representative Gene Ward
District 17, Hawaii Kai – Kalama Valley

Representative Gene Ward, Ph.D.
17th Legislative District
Hawaii Kai—Kalama Valley
Hawaii State Capitol, Room 318
415 South Beretania Street
Honolulu, Hawaii 96813
Phone: 808-586-6420; Fax: 808-586-6421
Email: repward@capitol.hawaii.gov

MOKUHANNO CLUSTER DEVELOPMENT PLANS

On August 9, 2010, Representative Ward sent a letter to David Tanoue, Director of the city's Department of Planning and Permitting requesting that a decision on the planned Mokuhano Cluster Development be postponed for 6 months.

A copy of the letter is provided to the right.

As of August 31, 2010, the cluster housing development permit application is still under review. A decision will be made by Director Tanoue before September 12, 2010.

No response from the Department of Planning and Permitting has been received by Representative Ward.

Copies of the cluster development application have been obtained by Representative Ward's office, and a site plan and landscape plan are included in this report.

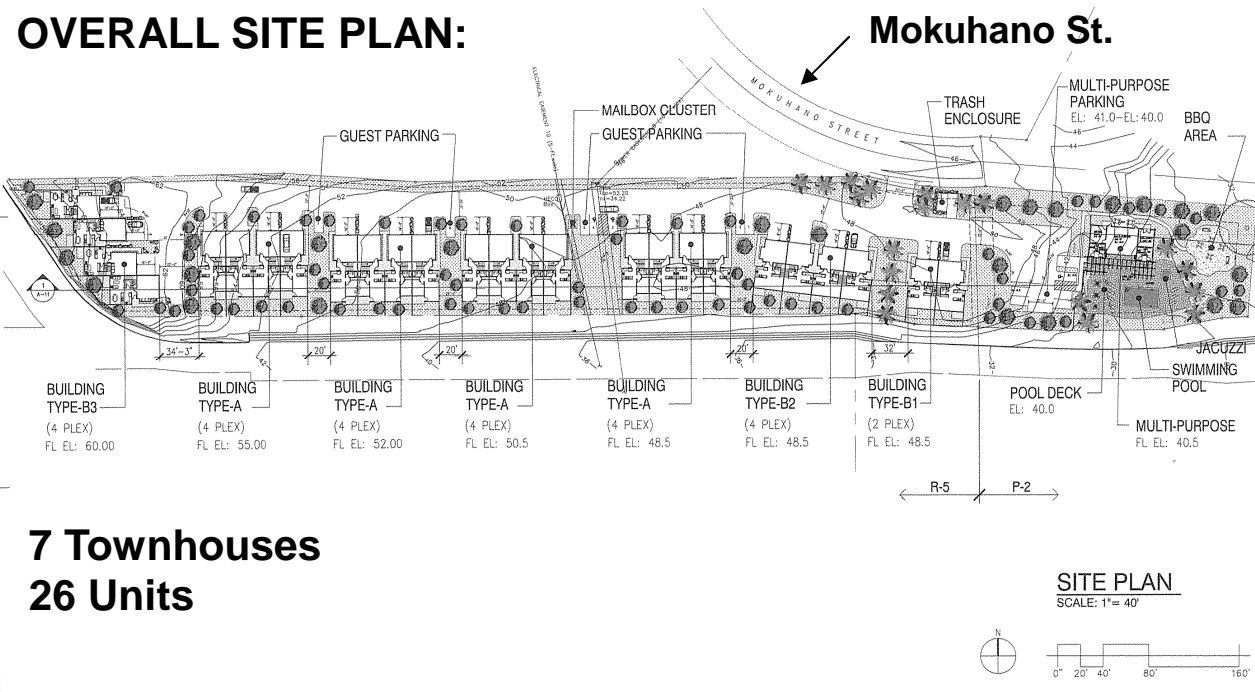
If you would like a copy of the plans, please contact Representative Ward's office at (808) 586-6420.

ZONING	PROJECT AREA	BUILDING COVERAGE (TOTAL BUILDING FOOTPRINTS)	BUILDING TYPE	1ST FLR FOOTPRINT AREA (INCL GARAGE & PATIO)	2ND FLR SF AREA (INCLUDING LANAI)	1ST FLR/2ND FLR TOTAL AREA	NO. OF BUILDING	NO. OF PARKING
R-5	99,107 SF (2.275 ACRE) PORTION OF 86.062 ACRE LOT	31,880 SF (.32 % OF 99,107 SF)	A (4 PLEX)	5,216 SF	4,325 SF	9,530 SF	4	2 STALLS COVERED GARAGE EACH UNIT
			B1 (2 PLEX)	2,148 SF	1,874 SF	4,022 SF	1	7 GUEST STALLS PROVIDED (2 ACCESSIBLE STALLS)
			B2 (4 PLEX)	4,402 SF	3,818 SF	8,220 SF	1	
P-2	28,065 SF (.64 ACRE) PORTION OF 83.787 ACRE LOT	1,561 SF	MULTI-PURPOSE	1,561 SF	-	1,561 SF	1	5 STALLS PROVIDED (1 VAN ACCESSIBLE STALL)

This work was prepared by me or under my supervision and I am a duly licensed professional architect. I am not providing any services outside of the scope of my license.

DEPARTMENT OF PLANNING AND PERMITTING
City and County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

OVERALL SITE PLAN:



No. Date Revisions

Key Plan

CDS
CDS INTERNATIONAL

Architect: Planning - Interior Design - (908) 534-4200
1001 Bishop St., Pasha Tower Suite 420, Honolulu, HI 96813-3479

MOKUHANO CLUSTER DEVELOPMENT
T.M.K.: 3-9-010; PORTION OF 046

CLUSTER APPLICATION

Sheet Title
SITE PLAN

Job No. 09013 Sheet **A-1**

Date JUNE 2010 or

RECREATION AREA:

LANDSCAPE SITE PLAN - 3
SCALE: 1" = 20'-0"

This work was prepared by me or under my supervision and I am a duly licensed professional architect. I am not providing any services outside of the scope of my license.

DEPARTMENT OF PLANNING AND PERMITTING
City and County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

No. Date Revisions

Key Plan

CDS
CDS INTERNATIONAL

Architect: Planning - Interior Design - (908) 534-4200
1001 Bishop St., Pasha Tower Suite 420, Honolulu, HI 96813-3479

MOKUHANO CLUSTER DEVELOPMENT
T.M.K.: 3-9-010; P-204 (UN) OF 046

CLUSTER APPLICATION

Sheet Title
LANDSCAPE SITE PLAN - 3

Job No. 09013 Sheet **L-2**

Date NOV 2009 or

Zoned Preservation (P-2)

Includes Recreation Building, Pool, Jacuzzi, and BBQ Area

LANDSCAPE SITE PLAN - 3
SCALE: 1" = 20'-0"

NOV 2009



ILLEGAL SHARK FEEDERS CAUGHT!


Kudos to DLNR Conservation Enforcement Officers who spent a year proving what the Hawaii Kai community reported in a townhall meeting as early as April 2009 that sharks were being fed by tour operators.

Representative Ward remains committed to prohibiting illegal chumming by commercial shark tour operators and making fines more than just a slap on the wrist (\$100).

Representative Ward will again reintroduce legislation in 2011 that would increase fines for those convicted of illegal shark feeding with exceptions for educational, research, and cultural activities.

Star  Advertiser

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Shark-tour workers face trial in illegal feeding

By [Rosemarie Bernardo](#)

POSTED: 01:30 a.m. HST, Aug 27, 2010

Five men are scheduled to go on trial in October on charges that they conducted illegal shark feeding off Oahu's North Shore, renewing the debate over shark-encounter tours. Some residents say they have seen the tour operators chum to attract sharks, and that the tours have drawn larger species to the area. But at least one tour operator denies shark-feeding, and the businesses point to a University of Hawaii report last year that concluded the shark tours pose little risk to public safety. The arrests followed a year of investigation by state conservation enforcement officers of employees of North Shore Shark Adventures and Hawaii Shark Encounters. The companies charge up to \$105 per person to take customers to sea and let them swim in a submerged metal cage to see sharks close up. The state began its investigation after receiving allegations of shark feeding, the state Department of Land and Natural Resources said. Maurice Lee Chalker Jr., Richard Bock Whyte, Nickolas Gargaro and Eric Christopher Nourrie were each charged with one count of shark feeding, a petty misdemeanor. Kohl William Ragraola was charged with two counts of shark feeding. All are scheduled to appear in Wahiawa District Court for trial on Oct. 14. Each faces a \$100 minimum fine as well as a maximum fine of \$1,000 and up to 30 days in jail. It was not disclosed which company they work for. DLNR said it received information and help from the National Oceanic Atmospheric Administration's Office of Law Enforcement, Pacific Island Division. It is illegal to feed sharks in state waters, which extend three miles from shore. State and federal officials have not received any new shark-feeding complaints. "DLNR will continue to conduct public education and outreach to ensure the public is informed that it is a violation of both state and federal laws to feed sharks for this specific commercial purpose. (Conservation enforcement officers) will respond and investigate any information indicating this law is being broken," DLNR enforcement chief Mark Young said in an e-mail. Of the shark-feeding charges, Mahina Chillingworth of Hui O Hee Nalu -- a North Shore group of surfers and other community members which opposes shark feeding -- said, "We're so happy. We knew all along." Attorney Ed Ebusui, who lives near Haleiwa Harbor and fishes off the North Shore, said he has observed the companies chumming miles off the North Shore as early as 5 a.m. -- before the day's first tour -- to attract sharks. "They run out there just to dump chum, buckets of it," said Ebusui. Joe Pavsek, owner of North Shore Shark Adventures, flatly denies that. "We do not chum before tours," Pavsek said in an e-mail. "We have to go out to set the shark cage prior to the tours. This is to be in compliance with our Certificate of Inspection with the United States Coast Guard. Just another lie." Stefanie Brendl, owner of Hawaii Shark Encounters, could not be reached for comment. The shark-feeding controversy initially emerged in the advent of the shark-tour businesses. The issue cooled but reignited last year when an East Oahu businessman said he planned to operate a shark tour off Maunalua Bay in Hawaii Kai. A community outcry of potential dangers to recreational bay users prompted the businessman to cancel his plans. In the past legislative session, a bill was introduced calling for stricter penalties for shark feeding, making the offense a felony instead of a petty misdemeanor. House Bill 2583 called for a \$5,000 minimum fine and a \$15,000 maximum fine. It also sought impoundment and forfeiture of any commercial marine vessel involved in the offense. State lawmakers passed the bill but Gov. Linda Lingle vetoed it. Ebusui and other community members believe the shark tour companies have altered the marine environment on the North Shore due to shark feeding. Reef and sandbar sharks have been replaced by bigger sharks like tiger and Galapagos sharks, they said. "They're gone because the big boys are in. It's a totally unnatural environment," Ebusui said. Opponents also say the number of near-shore shark sightings has steadily increased in the last several years. But a peer-reviewed scientific study released last year by the UH Institute of Marine Biology determined the tours did not pose a threat. Researchers determined that shark tours took advantage of sharks that already congregate around crabbing boats that throw old bait into the ocean from their traps, a practice they have been doing since the 1960s. "There is no credible scientific evidence to the contrary," said Pavsek, of North Shore Shark Adventures. The study indicated the sharks are conditioned to venture to far offshore areas where crab fishermen dump their bait. It also pointed out that there was no increase in shark attacks on the North Shore since the inception of the shark tours. Ebusui and Chillingworth said they do not oppose the shark tours, just shark feeding. "All we want is for them to obey the law," said Ebusui.

Find this article at:

http://www.staradvertiser.com/news/20100827_Shark-tour_workers_face_trial_in_illegal_feeding.html