

# LIFE OF THE LAND

*Ua Mau Ke Ea O Ka `Aina I Ka Pono*

*The Sovereignty of the Land is Perpetuated in Righteousness*

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September 26, 2006

Henry Eng, Director  
Department of Planning & Permitting  
650 South King Street  
Honolulu, Hawai'i 96817

Re: Proposed Cluster Development in `Aina Haina

Aloha Mr. Eng:

Last night we attended a community meeting in `Aina Haina regarding developer Kent Untermann's proposed cluster development behind `Aina Haina Elementary School. There were approximately 200 people in attendance. We were extremely disappointed, as was the community, that no one from DPP attended (although they were invited) to clarify some vital points to help the community understand the process your agency undertakes when reviewing a development application.

In our opinion, the community raised serious and valid concerns including, but not limited to:

- 1 the slippage of homes, which has already been happening in `Aina Haina – some claims still remain unsettled by the city after years of waiting and the displacement of families,
- 2 the strong potential of falling boulders with planned excavation, rock crushing, and grading,
- 3 sewer infrastructure concerns,
- 4 storm water run off, such as the recent 42 days of rain this past March,
- 5 the well-being and safety of the community and especially the students and staff at `Aina Haina Elementary School,
- 6 health concerns from fugitive dust from any hillside development,
- 7 the precedent such a development would set,
- 8 the threat to existing structures the development would pose,
- 9 traffic concerns on Ki`ai Street, and
- 10 the lack of due diligence done to protect the existing community

The community only found out about this planned development through the media. We hope you see the problem in not mandating developers to interact with the immediate surrounding community, the neighborhood board, and community association in the area when planning a project.

Life of the Land Letter to Director Eng  
Tuesday, September 26, 2006  
Page Two...

Life of the Land is concerned with the lack of community notification and interaction by the city and the developer, the perceived cavalier attitude of DPP and, in our view, the serious concerns expressed by the community.

We, therefore, respectfully ask that DPP stop the Automatic Approval clock from ticking by asking the developer to withdraw his application and meet with the community, address the concerns raised by the community, and schedule a meeting with the community to discuss the process that DPP undertakes to review such applications.

Life of the Land is concerned about the health and safety of the community and the liability that the city would assume in permitting yet another development on sloping land.

What have we learned from rock slides that have taken place in `Aina Haina in the past – one of which killed an 8-year old girl, the very sad Nu`uanu rockslide that killed Dara Onishi, the rockslides at Waimea Bay (the second of which fell outside the fenced area earlier this year), and the rockslides at Mokapu`u?

We urge the city to err on the side of caution in this application. We have already witnessed the potential harm from falling boulders and rockslides, and we urge DPP to use the precautionary principle when reviewing such applications.

For your information, a straw poll was taken at last night's meeting and only one person supported the proposed development. This is a hot issue in East O`ahu and it is not going to go away. We urge you to seriously consider the concerns expressed by the community and the liability that the taxpayers might be burdened with should another rockslide occur.

Mahalo for your consideration.

Sincerely,

Henry Curtis  
Executive Director

Kat Brady  
Assistant Executive Director

Cc: Mayor Mufi Hannemann  
Councilmember Charles Djou  
Rep. Lyla Berg  
Rep. Barbara Marumoto