

PUBLIC HEARING

NOVEMBER 16, 2016

A public hearing of the Council of the County of Kaua'i was called to order by Gary L. Hooser, Vice Chair, Planning Committee, on Wednesday, November 16, 2016, at 1:36 p.m., at the Council Chambers, 4396 Rice Street, Suite 201, Historic County Building, Lihue, and the presence of the following was noted:

Honorable Gary L. Hooser
Honorable Ross Kagawa
Honorable Arryl Kaneshiro
Honorable KipuKai Kualii
Honorable Mel Rapozo
Honorable JoAnn A. Yukimura

Excused: Honorable Mason K. Chock

The Clerk read the notice of the public hearing on the following:

“Resolution No. 2016-60 – RESOLUTION AUTHORIZING THE ACQUISITION OF A PUBLIC PEDESTRIAN BEACH ACCESS EASEMENT IN LAND REQUIRED FOR PUBLIC USE, TO WIT: A PUBLIC PEDESTRIAN BEACH ACCESS EASEMENT TO KUKUI'ULA BAY, KUKUI'ULA, COUNTY OF KAUA'I, HAWAII, AND DETERMINING AND DECLARING THE NECESSITY OF THE ACQUISITION THEREOF BY EMINENT DOMAIN,”

which was ordered to print by the Council of the County of Kaua'i on October 19, 2016, and published in The Garden Island newspaper on October 25, 2016.

The following communications were received for the record:

1. Bracewell, Chris, dated November 12, 2016
2. Bracewell, Jenna, dated November 12, 2016
3. Schwartz, Ken & Stephanie, dated November 11, 2016
4. Petition in Support of Resolution No. 2016-60 (20 signatures), dated October 24, 2016, submitted by Norma Doctor Sparks

The hearing proceeded as follows:

SCOTT K. SATO, Deputy County Clerk: We have eight (8) registered speakers. The first speaker is Bruce Sakimae, followed by Jody Stillwell.

Committee Vice Chair Hooser: Okay. Will the first speaker come forward? Every speaker will get three (3) minutes, and then if you decide to speak again, you can at the end come back for an additional three (3) minutes. Please have a seat and introduce yourself for the record.

BRUCE SAKIMAE: My name is Bruce Sakimae. I really did not want to come here, but I felt that it was kind of important. I do not know if the Administration or the Planning Department misinformed you folks about money. I was watching the television one day and you folks said that you did not have money and they said that it is going to cost about one million dollars (\$1,000,000) to get the access. I was involved in this process of Kukui‘ula development and trying to get things for the community. Many years ago, we were pushing for access to the beach and all of those things—do you have this copy here? Anyway, I kept this copy since 2004 for whatever reason...I do not know why I had this. My understanding was that Alexander & Baldwin (A&B) gave five hundred thousand dollars (\$500,000) to the County first to do the parking lot of twenty (20) stalls down by Baby Beach or...the one next to Lāwa‘i Beach Resort. My understanding was at that time when we agreed, it was said that the five hundred thousand dollars (\$500,000) were going to be used for the twenty-car parking lot, and they did that. There is no way in hell that thing costed one hundred thousand dollars (\$100,000). So now, A&B gave five hundred thousand dollars (\$500,000) for that, for the beach access, and whatever money that was going to be leftover was supposed to be used for the Po‘ipū Beach renovation, expansion, or whatever. My question is this: In 2004, if five hundred thousand dollars (\$500,000) was given, today it would be one million dollars (\$1,000,000). Basically, when you folks said that there is no money, which is not your folks’ fault, because this thing that I found says that they gave five hundred thousand dollars (\$500,000) for that and they did not tell you folks that; that is wrong. This is an ordinance. For me, I am not a real bright person or whatever, but from what I gathered then back in 2004, that is what happened. I am going to end it like this because I just wanted to bring this paper and make that point. I just wanted to give Tessie a shout-out, because people like Tessie, Rupert, and Teddy Blake—right or wrong, they come here all of the time, helping the local people over there. Without them, we are dead. I can tell you this much that at that time we wanted the access, every single person in Kōloa wanted that for their kids and everybody else. We went through the process, but you have to understand that local people is not going to come over here. So I feel that I am representing them because I was down at the park for twenty-five (25) years for basketball and baseball and I know them. So I put my time and effort into those things over there.

Committee Vice Chair Hooser: I am sorry, Mr. Sakimae. Your time is up, but you can come back up afterwards.

Mr. Sakimae: No, I just wanted to bring this thing here and hopefully it can help you folks with knowing that there was money.

Committee Vice Chair Hooser: Okay. Thank you.

Mr. Sakimae: Thank you.

Mr. Sato: The next speaker is Jody Stillwell, followed by Tina Sakamoto.

JODY STILLWELL: I, too, am not a public speaker, but I felt compelled to come. *Aloha*, Chair Rapozo and Members of the County Council. My name is Jody Stillwell. My husband and I, David, are homeowners and Kōloa residents for over forty-five (45) years. For twenty-one (21) years, I volunteered to help organize *keiki* surf contests at Prince Kūhiō’s (PK’s) and around the island. I am “Aunty Jody” to many and I somewhat consider myself a *kupuna* of the Kōloa

community. We have witnessed a multitude of changes, some good and some not so good. Po'ipū suffered some of the most radical changes. The loss of sugarcane, where vast sugarcane fields were have now become massive developments with hundreds of homes and shopping centers; and of course, the devastating two (2) hurricanes that stripped the poor shores of Po'ipū clean. My personal favorite, vacant beach that I used to visit regularly where there was an old shipwreck on the shoreline has now become the Grand Hyatt Kaua'i Resort, with a golf course for tourists. I remember Spouting Horn where it was just the "boonies." There was no shopping booth, just a little lookout by the blowhole and a small parking area where lovers would park at night. I remember when Michael Hoban purchased the property in the early '70s. It was partially landscaped and had a little, old shack on the property until 1982 when Hurricane Iwa pretty much washed that whole shore clean. Since then, the past thirty-four (34) years, million dollar homes have replaced the shacks and the numerous convenient pathways. The fishermen and recreation-seekers have continued to fish and find adventure along this shoreline. It is a short coastal stretch from Kukui'ula Harbor to the public lookout at Spouting Horn, and of course the harbor, too, has suffered changes or has changed as well. The sandy beach area where the duke's home was is now a public park, lending to more recreation and public access. The one thing that has not changed though is past the harbor. It is a very narrow, winding road to Spouting Horn and the tour buses headed to the blowhole can be frightening to even walk along there. It has absolutely no public parking. I think that the community association, and I am not sure, originally suggested this open space to the commission to acquire the drainage easement around 2005—it may even be longer ago then that. Since then, Kukui'ula Harbor's addition with the park space and greater recreational access has provided a lot of public need to that area. I have asked myself and I ask you today if the public interest of the Kōloa Community Association is still there with a desire to follow through with this acquisition of three hundred forty-three (343) square feet. That is smaller than a two-car garage for one million dollars (\$1,000,000). I do not think so. The Hawai'i Revised Statutes (HRS) Section 46-1.6 grants the counties the power of condemnation by eminent domain when it is of the public interest.

Committee Vice Chair Hooser: Thank you. Your three (3) minutes are up. You can come back if you would like.

Ms. Stillwell: I just have a little bit more.

Committee Vice Chair Hooser: You can come back.

Ms. Stillwell: Okay. Thank you.

Mr. Sato: The next speaker is Tina Sakamoto.

TINA SAKAMOTO: *Aloha* Councilmembers. My name is Tina Sakamoto. "Picture, if you will, a private oceanfront location with amazing ocean views, a private beach, and tide pools. The location cannot be beat. Watching sea turtles and just listening to the waves—absolutely serenity." These are the descriptions of the sandy beach house, a transit vacation rental property formerly known as the "Hoban Property" in Kōloa. This now privatized beach is exclusively enjoyed by the vacationers of the two (2) adjoining oceanfront mansions situated on Lāwa'i Beach Road. Local residents used to be able to access this beach for

shoreline, cultural gathering rights, and outdoor recreation by using the County's drainage easement on the property. In 1995, the drainage easement, which was the only safe pedestrian access between Kukui'ula Harbor and Spouting Horn was blocked by the owner's construction of a wall. A rock wall running perpendicular to the shoreline was also constructed and *naupaka* was planted to further block any pedestrian access. Since the year 2005, the Open Space Commission has consistently recommended the acquisition of this public access to the beach and shoreline through the Hoban Property, currently owned by the late family trust of California. Eleven (11) years later in 2016, we still have not acquired this public access. The time is now. Expedited action must be taken to finalize this acquisition to ensure the people of Kaua'i and future generations have access to our beach and shoreline. I appreciate this public hearing and I thank you for the opportunity to speak in support of Resolution No. 2016-60. I respectfully ask that you, the County Council, also support this Resolution. Thank you.

Committee Vice Chair Hooser: Thank you very much. Next speaker, please.

Mr. Sato: The next speaker is Dorothea Hayashi, followed by Tessie Kinnaman.

Committee Vice Chair Hooser: Ms. Hayashi.

Ms. Sakamoto: I am Tina Sakamoto and I presented an E-mail from Dorothy. For medical reasons, she could not come today and she asked that I read her testimony. If it is okay, I would like to proceed.

Committee Vice Chair Hooser: Sure.

Ms. Sakamoto: This is Dorothea Hayashi's testimony: "I would like to express my appreciation for the opportunity to give testimony on the Hoban access. Before you is a Resolution that has taken too, too long to reach the County Council's attention. The Hoban access was an area to access a safe beach for families to fish and picnic. We all realize how many areas we enjoyed are becoming inaccessible due to the selfish attitudes of some new landowners. The local attitude of sharing has changed drastically. Now, we are encountering values we have to adjust to. No more freedom of movement on what we have always valued as the right of everyone to care for and to enjoy. You, the Council, heard the concerns of the public and created the Open Space Commission. Our recently retired commissioner was very concerned that we could not seem to get the Hoban access moving along. I personally feel that if we do not get this Resolution to begin the process, we are giving other landowners that we give in to the cost. Let this be the opportunity to test our ability to do the work we volunteered to do. When I first began my volunteer attendance, I had simple thoughts. 'Okay, listen to the public and do the best to help preserve public accesses.' However, it is not simple. This Resolution is an example of how complicated our simple lifestyle has become. Hopefully, if this Resolution passes, we send the message that no one person or persons living here in Hawai'i is allowed to prohibit the public from our beaches, that we were able to access to fish and swim, as did our parents. Do not let the costs hinder your decision in this Resolution." It is signed "Dorothea Hayashi."

Committee Vice Chair Hooser: Thank you very much.

Ms. Sakamoto: You are welcome.

Mr. Sato: The next speaker is Tessie Kinnaman, followed by Rupert Rowe.

Committee Vice Chair Hooser: Good afternoon.

TESSIE KINNAMAN: Good afternoon. Tessie Kinnaman, for the record. It has been at least a year-and-a-half since this subject has been brought forward and I appreciate Committee Chair Chock for bringing it forward. I have a petition circulating, and at the moment, we have at least three hundred (300) plus signatures. The acquisition, as we have it in the Resolution, is that "acquisition is necessary for public use purpose and interest to wit a public-pedestrian beach access for public use, recreation, cultural sustenance, and gathering." I would like to also applaud the Open Space Commission for bringing this and their tenacity for bringing this forward. I know their frustration, because I have been on the Open Space Commission for eight (8) years and this has been a top-priority recommendation for the past twelve (12) years. It is about time that we do something about it and this body approves this Resolution, although it is only three hundred forty-three (343) square feet, it is a pathway to the ocean. There is a description of a footpath easement that is six (6) feet wide and it describes that very section there: the north, south, east, and west boundaries. It says "six (6) feet along Lāwa'i Beach Road," and there are four (4) coordinates: north, south, east, and west. It all ends with "over the existing drainage easement," which is supposed to be the footpath easement. We have been deprived of this footpath for years and we have to come forward and fight for this footpath that we have always used forever and ever. It is disappointing, but if we have to go this route then that is how we have to do it. Cost is no issue; there is over five million dollars (\$5,000,000) in the Open Space Fund. If need be, there are the community funding district funds that Kukui'ula throws into the pot for the Kōloa-Po'ipū area whenever they build and they are going gangbusters right now. Also, there are bond funds. There is no shortage of money and I do not believe that this will cost over one million dollars (\$1,000,000) because the property owners should be paying us. I am really livid, but happy that this is going through. We have been deprived all these years of that public access. I please encourage this body to approve this Resolution. *Mahalo*.

Committee Vice Chair Hooser: Thank you very much. Councilmember Yukimura has a follow-up or clarifying question.

Councilmember Yukimura: Tessie, can you tell me how many signatures you said were on your petition?

Ms. Kinnaman: Right now, we have about a little over three hundred (300), about three hundred twenty-five (325) to three hundred thirty (330). So hopefully by the time we have the next meeting in December, it will be double that amount. For anyone watching, please call me and sign up.

Councilmember Yukimura: So about three hundred (300)?

Ms. Kinnaman: At the moment, yes.

Councilmember Yukimura: Thank you.

Mr. Sato: The next speaker is Rupert Rowe, followed by Ted Blake.

RUPERT ROWE: *Aloha.* My name is Rupert Rowe. I support the Resolution for the people of Kōloa and the cultural practitioners who once used this pathway. That is all I have to say and I invite all of you to come and see Kāneiolouma, personally. That is why I am here. *Aloha.*

Mr. Sato: The next speaker is Ted Blake, representing Mālama Kōloa, followed by Springwater Kaulili.

THEODORE BLAKE: *Aloha.* My name is Ted Blake and I sit on the Open Space Commission, but I am testifying as a private individual and for Mālama Kōloa. This easement has been talked about for twenty (20) years, a long time. When we talked about it, it was reasonable. Now, I understand the offer is like seven hundred fifty thousand dollars (\$750,000), or to make it more palatable, one thousand two hundred fifty dollars (\$1,250) a square foot. That is probably the most expensive land in Hawai'i. It makes it seem really unfair and silly to me because that is stuff that we have had all of our lives. Everybody in Hawai'i goes to the ocean. Now, we have to pay for access to the ocean. People come and put up fences; *aloha* goes out the window. I have seen no *aloha* come through my yard. I was raised at Hoai, across Kūhiō Park. Going down all the way to Kolopa, Ka Lae Kiki, all the way to Kukui'ula—there were no restrictions on the shoreline and no restrictions from the road. You just ask them, "Can I pass through here?" They would say, "Yes, no problem. Do not make trouble." And we did. Now, to come up to a place...I asked the attorney, "Why is the price so high?" He said, "Because it is some kind of severalty thing—when people walk down, they make noise." After that, they are going to come and see you because they want money from the County passing all the cars through here; it is the same argument. This is going from sublime to the ridiculous. I am totally in support of this Resolution. I think it should happen and I think we should give this person a dose of reality and say, "Let us be realistic about this." Thank you very much.

Mr. Sato: The next speaker is Springwater Kaulili, followed by Jean Souza.

SPRINGWATER KAULILI: Good afternoon, Council. My name is Springwater Kaulili and I just want to say that I am in support of this Resolution. I am a fisherman, and as you can tell, I am Hawaiian. So for us Hawaiians, it is getting harder for us to practice our gathering rights because of the accessibility. You folks know that the shoreline has been bought out by all the rich people, so it is hard for us. I am here for myself, for the Hawaiians, for my son, and for my grandson, who is ten (10) years old. We all throw net, even down to my grandson. I frequent this area a lot, and not only myself, but there are waves out there, right in front of where this suggested right-of-way is going to be located. There is a nice sandy beach over there. I do not know if you folks have been over there, but maybe that is why the homeowners over there, the adjacent properties, do not want to give it up. There are some waves outside there where you have people with surfboards

and boogie boards out there. You have activity in that area and I think the right-of-way or beach access is a priority, based on not only people's activities. I think for safety reasons you can get the paramedics and firemen out there in case of emergencies, I think it is a good thing. I remember the old days when I used to go fishing with my dad. He loves to pick *'opihi* and *limu*. We used to go into that area over there. Being that my father was a policeman, he knew everybody and everybody knows him. So accessibility for us was good. We would just see all of the homeowners, which were local people that owned the beachfront. He would ask them, "Hey, can we go through the property to get to the beach?" They would say, "Sure." We would go, do our thing, and come back, and give them a part of what we had. That was our way of doing things, but now, today is today and you have to deal with all of the modern things. If you go down there, you folks already know that the place is all gated up and fenced. There are walls. So rights-of-way throughout, not only over there, but throughout Kaua'i is a must. Let us protect that for the present and for the future generations. I am in favor of this. Thank you very much. Another thing—do you think we can make another right-of-way closer to Kukui'ula Harbor? There are two (2) empty lots down there and one used to be owned by the Buchanan family. I do not know if they still have that yet, but it is an open lot and not developed or anything. I do not know if the County can take advantage of this and acquire a right-of-way through there. Also to Lāwa'i Kai, if possible, because you have all of the tourists going down there. Thank you.

Committee Vice Chair Hooser: Thank you. I am sure the Open Space Commission members are here today and listening to you, too. Thank you.

Mr. Sato:
Carl Berg.

The next speaker is Jean Souza, followed by

JEAN SOUZA: Good afternoon. Jean Souza of Hanapēpē. I am in support of this Resolution to restore public access to the former Hoban property in Po'ipū. I was fortunate to serve as a founding commissioner on the Open Space Commission and was appointed three (3) times by the County Council. Thank you for giving me the opportunity to serve. The acquisition of this access has been on the acquisition list from the early years, over a decade ago, when land costs were lower and when there were private funds associated with the land use ordinance approval. I am sure all of us can think of at least five (5) places in our lifetimes where we have been walled out, fenced out, chained out, hedged out, private-permitted out, bulldozed out, and "*naupaka*" out of places where we and our families used. Are we not tired of being on the losing side of this? I strongly encourage you to approve it. I know that there is concern about the costs, but I think it is time that we reestablish public access in Po'ipū, which is our important resort destination area. I think we owe it to the people of Kōloa-Po'ipū who have suffered all of these generations of kids that lost the opportunity to use this very modest, pocket beach along a coastline that is really quite rocky. Unfortunately, it is not a big beach, but I think it is one of the bigger pocket beaches available and it has a history of use. Thank you.

Mr. Sato: The next speaker is Carl Berg, representing the Kaua'i Chapter of the Surfrider Foundation, followed by Jodi Ascuna.

CARL BERG: *Aloha* Councilmembers. My name is Carl Berg and I am speaking today, representing the Kaua'i Chapter of the Surfrider Foundation. The Surfrider Foundation is a national organization and is there for the protection and enjoyment of the ocean, waves, and beaches for all people. Here on Kaua'i, as you know, we are very active in cleaning up the beaches and monitoring water quality. Beach access is extremely important to us. We have put the full force of our national organization behind this Resolution that you acquire this property. I would like to also make a comment with my background as an Oceanographer Marine Scientist that we are in the midst of a huge global climate change. Within a certain period of time, maybe eighty (80) years or so, the beach will probably be gone and the waves will be crashing right on that highway. In the interim, we could very well experience 'Iniki kinds of hurricanes or tsunamis that are going to wash away the shoreline. I think in the past, when we had 'Iniki, some of the property, the Brennecke's property as an example, when the homes were destroyed, that was taken up by the County and made into the park. I think in looking at this access, the Council should also have the longer vision of how we can obtain, after say, a national disaster, obtain basically the entire coastline along there by not allowing anymore building in an area that is going to be eventually totally inundated and washed away. The State will not allow hardening of that shoreline. They were not going to let you put up big retaining walls to protect your land from washing away. Eventually, whether it is in ten (10) years, the next hurricane or the next twenty (20) years, that is all going to be gone. I think it is important because it has been an injustice for the past ten (10) years or more that we have not had that access. We have to look in the future on how to continually gain beach access and beach property for the County, for the use of all people, through the condemnation process, if necessary. Thank you very much.

Mr. Sato:
by Anne Punohu.

The next speaker is Jodi Ascuena, followed

JODI ASCUENA: My name is Jodi Ascuena. Thank you to the Council for giving me an opportunity to express my opinion on beach access. I have lived in Kōloa for twenty-five (25) years, arriving three (3) months before Hurricane 'Iniki and have walked along the Po'ipū coastline, pretty much every morning of that time, and of course I have seen a lot of changes. Thanks to the determined work of the late Louis Abrams, Tessie Kinnaman, Marty Kuala, and everyone at the Kōloa Neighborhood Association, the south shore community has been kept abreast of the influences and the challenges that the Kōloa area has faced. Since I had the good fortune to pass David Chang's house on my morning stroll, I could not ignore the controversial and important stories going on behind the scenes. In fact, it was David's voice that I heard this morning, urging me to come here today. I have been paying attention to the reconstruction of the houses following the hurricane, not only on Ho'onani Road, but also Ho'one Road and Pe'e Road. Specifically on Lāwa'i Road, I have noticed that while the houses themselves have becoming increasingly bigger and higher, the space between the houses has become increasingly smaller. In some cases, they are practically touching. In fact, my friends and I call it "long house road" because it literally has become one long row of joined-up houses, blocking the ocean view. When my family came to visit from England, they asked me, "Why can you not see the ocean anymore when you walk down that street? You would never even know that the sea is just on the other side of those houses. What has happened to the planning of this particular stretch of coastline?" I see that the

landowners have planted trees and shrubs or put up walls to cover the beach access and there seems to be no maintenance carried out. I believe it is the County's responsibility to keep the accesses free of new growth and to keep the beach access signs clear and legible. If you are a local fisherman and your family has fished there for generations, you better take a machete with you when you try to get access. It is amazing to me that Native Hawaiian fishing rights are being set aside and this way as "unimportant." Also, the seal watch people are so vigilant; it is really difficult for them to get down to the smaller coves along that coastline to report and observe the seals, especially during the pup season. We actually need a whole lot more public access points and not less. When I saw that a private landowner is hoping to keep his extra six (6) feet or so of land, I ask that the County Council think not about what it may cost us to get it back by taking the landowners to court, but to consider the bigger picture. It is not about individual opinions today or about the dollar amount it may take to go to court. It is about the island we hope to leave to our children and grandchildren. I passed that tiny cove today and I see it every morning. It is small, but it has a mighty purpose. In the opinion of many people in publications, Kaua'i has the best beaches in the world. Why are we trying to reserve them for the benefit of a few wealthy landowners who spend a mere fraction of their time here? I have three (3) simple requests. Number one...

Committee Vice Chair Hooser: You will have to come back. Your three (3) minutes are up.

Ms. Ascuena: Okay. Thank you.

Mr. Sato: The last registered speaker is Anne Punohu.

ANNE PUNOHU: *Aloha.* My name is Anne Punohu. I have spoken from the very beginning in support of access. I was there from the beginning, many years ago. I was there for every meeting. I testified many, many times. I have testified when this item has come before you. I testified the last time it came before you. Of course I am in favor of condemning it and of course we are forced because the landowner and homeowner is holding this County and the people of Kaua'i absolutely hostage for the money that the land is being ransomed for. This is not an acquisition. It is ransom money. I am appalled at this homeowner and I think that they should be absolutely ashamed of themselves. I will give them no respect if I see them out in the community. To hold this land hostage, I implore them to do the right thing, charge one dollar (\$1), because you are shameful human beings and I have no respect for you. *Mahalo.*

Committee Vice Chair Hooser: Are there any further registered speakers?

Mr. Sato: No.

Committee Vice Chair Hooser: Is there anyone here that would like to speak for the first time and has not spoken yet? If not, would anyone like to speak for a second time? Would you like to finish your remarks? Please come up.

Ms. Ascuena: This will be very short. I have three (3) simple requests: number one, please try to keep this contested beach access and all beach accesses at any point; number two, please be vigilant of all new beach

accesses that are granted from this point on; and number three, please try to preserve the beauty of our island treasures, the open spaces, and wildernesses areas, not only for those of us that live here now, but for the future generations that will hopefully follow our example. Thank you.

Committee Vice Chair Hooser: Thank you very much. Any other speakers that would like to speak for a second time?

Ms. Kinnaman: Thank you. Tessie Kinnaman again. I just wanted to clarify Bruce Sakimae's earlier comments. What he was referring to, as I am sure you all are familiar with, is the Kukui'ula Ordinance—I forget what the number is because it has been so long. The six hundred thousand dollars (\$600,000) he was talking about was the Kōloa Community Association advocated way back then for a parking lot to be built across the street from Boyden's Pond. I do not know if anybody is familiar with Boyden's Pond, but it is smaller than this room, just a pond, and a lot of locals use that with little kids. I forget how much was spent on that parking lot and there was a balance of five hundred twenty-five thousand dollars (\$525,000). The balance was supposed to be used for, if I can remember correctly, any public access that the Kōloa Community Association chose and that would be seed money for it. If it was not used by 2007, that money would go to the Po'ipū Beach Park improvements restoration, and that is where part of...at least I hope it went there, when that public access was not built there...was not bought there...that Hoban property, that money went towards that Po'ipū Beach Park improvements. I think part of that was for the *mauka* preserved Kāneiolouma park and whatever improvements around Po'ipū Beach Park. Yes, we had seed money back then, but there was no one to lead it and go champion it so hopefully they will champion it this time. Thank you.

Committee Vice Chair Hooser: Thank you. Others for a second time? Please come forward.

Ms. Souza: Jean Souza of Hanapēpē. Because this project has been on many Open Space Commission acquisition lists and I was the co-author of every report that came out in the two and a half (2.5) terms that I served, many hours were spent on discussing this project. I am very pleased that it has come to you now as a land acquisition project. I think that is the cleanest and the best way to get the land in perpetuity for us. I think some of the other strategies might just delay it unnecessarily. We have spent over ten (10) years, collectively, all of the commissioners talking about this. When I was on the commission, Tessie was on as well, and at each meeting it was Tessie's job to bring up to the County staff the status of acquisition of this project is. I am here to say for us to get it done already. Enough already. Granted it is not the biggest and not the flashiest, I would not want to see it in any of the guidebooks, but for the people of Kōloa-Po'ipū and those of us from elsewhere who support it, I ask you to just get it done. Thank you.

Committee Vice Chair Hooser: Thank you very much. You may come forward if you would like to speak. Introduce yourself for the record, please.

CHAD DEAL: Aloha Committee Chair, Council Chair, and Councilmembers. My name is Chad Deal and I am speaking here as a concerned

citizen on Kaua'i. I moved to Kaua'i for one reason: *aloha*. We all have it. We all know we have it. This is a prime example of where we need to teach people who come here, like myself, what "*aloha*" really is, which is concern for everyone, love for each other, and the ability to get along and not stop people who have used property forever from obtaining their natural-born rights. I am sure that this Council will take that into consideration. I am not completely familiar with this Resolution that is in front of you, but I do speak from my heart and my heart says *aloha* for Kaua'i because I love this island. I love the people on this island. Thank you for the opportunity to testify.


Committee Vice Chair Hooser: Thank you very much. Next speaker. Good afternoon. Please introduce yourself for the record.

JOSEPH FIGAROA: For the record, Joseph Figaroa. I am approaching you as a citizen today. I am definitely in support of this Resolution. As many previous Open Space Commissioners are here, I, myself, as a current Open Space Commissioner, ever since the last time I appeared in front of you, I have had so many community members approach me in grocery stores, gas stations, and wherever I go and asking the largest "why" factor. They all know about the beach. They have seen it. A lot of people go to the Kukui'ula Boat Harbor and see it from a distance. I just encourage them that we are here rooting for them. Yes, many of them, like the previous speaker said, they are at work and busy raising their families or just working and do not have the time to necessarily be here, so I would like to step forward and kind of represent that group of individuals. Definitely, also in a closing note, I feel that the County has the structure within its operations to not just acquire it, but maintain the site without really any additional costs. We have everything already set, so I encourage you all to not be so scared of the price, because in the end it probably will not be one million dollars (\$1,000,000). I will just leave it as that. Thank you.

Committee Vice Chair Hooser: Thank you so much. Anyone else before we close this public hearing? I want to thank everyone for coming for taking your valuable time to testify on this important issue. With no further testifiers, this public hearing is closed. Thank you.

There being no further testimony, the public hearing adjourned at 2:17 p.m.

Respectfully submitted,



SCOTT K. SATO
Deputy County Clerk