

# DEPARTMENT OF PLANNING

KA'ĀINA HULL, DIRECTOR

JODI A. HIGUCHI SAYEGUSA, DEPUTY DIRECTOR



DEREK S.K. KAWAKAMI, MAYOR  
REIKO MATSUYAMA, MANAGING DIRECTOR

January 8, 2024

Public testimony received by the Planning Department as of January 8, 2024, 9:00 am for the January 9, 2024, Subdivision Committee Meeting regarding the following item:

- G.1.c. Subdivision Application No. S-2024-6  
Kukui'ula Parcel HH Subdivision  
**BBCP Kukui'ula Infrastructure, LLC. /**  
**MP Kaua'i HH Development Fund, LLC.**  
Proposed 3-lot Consolidation and Re-subdivision into 51-lots  
TMK: (4) 2-6-019: 026, 029, and 031  
Kōloa, Kaua'i

## Kenneth Estes

---

**From:** Kaaina Hull  
**Sent:** Sunday, January 7, 2024 1:36 PM  
**To:** Shanlee Jimenez; Kenneth Estes  
**Subject:** FW: Development in Kukuiula across Harbor

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

PC tesimony

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

From: Planning Department <planningdepartment@kauai.gov>  
Sent: Friday, January 5, 2024 11:16 AM  
To: Dale Cua <dcua@kauai.gov>  
Cc: Kaaina Hull <khull@kauai.gov>; Jodi Higuchi Sayegusa <jhiguchi@kauai.gov>; Shanlee Jimenez <sjimenez@kauai.gov>  
Subject: FW: Development in Kukuiula across Harbor

Mahalo,  
Brent

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

From: Emi Nollar <eminollar@yahoo.com>  
Sent: Friday, January 5, 2024 10:49 AM  
To: Planning Department <planningdepartment@kauai.gov>  
Subject: Development in Kukuiula across Harbor

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

I am emailing to show that I do not agree with the latest project idea brought up by Gary Pinkston in Kukuiula, across the Kukuiula Koloa boat Harbor. I oppose this project because it will take away more land, provide no affordable housing for locals, create more traffic along the Poipu areas, adding more people who don't belong here. There is already not enough space for another sewage system to be placed in this area. The existing waste station in the Koloa Landing area is already undersized. This is a ridiculous project and I'm disappointed that the county continues to approve permits for projects from people like Gary Pinkston. There is shame in knowing he is paying off the pockets of county workers in order to get all these approvals done so quickly. HEWA !!

I oppose this project !  
-Emi N.

Sent from my iPhone

## Brent Sokei

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**From:** Maddie Hahne <maddiehahne5@gmail.com>  
**Sent:** Monday, January 8, 2024 5:38 AM  
**To:** Planning Department  
**Subject:** STOP Koloa boat harbor planning

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

To whom it may concern,

Please don't follow through with this plan on the Koloa boat harbor beach. This beach is loved by so many locals and their families. This is one of the last local beaches left and losing it will take away so many new opportunities for memories made there. My favorite days are spent at this beach because of its peaceful, local vibe. There are always gatherings and kids birthday parties here and it's always so sweet to see. It makes my day every time I walk down to the water! PLEASE DONT go through with this!!!!!!!

thank you.

## Brent Sokei

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**From:** Emilie Bierly <emiliebierly@icloud.com>  
**Sent:** Sunday, January 7, 2024 11:44 PM  
**To:** Planning Department  
**Cc:** Mayor  
**Subject:** Koloa Boat Harbor Testimony Opposition  
**Attachments:** emilie\_bierlykoloa.pages

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha Planning Department,

Please receive my testimony in opposition of the development of Koloa Harbor.

Thank you so much,

Emilie Bierly

## Brent Sokei

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**From:** agu garcia <agucito@hotmail.com>  
**Sent:** Sunday, January 7, 2024 9:03 PM  
**To:** Planning Department  
**Cc:** agustin Garcia (via Google Docs)  
**Subject:** Subdivision Application No. S-2024-6

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Hello Planning Department of Kauai,

My name is Agustin Garcia, I was born and raised on Kauai and have left to climb the socioeconomic ladder with the plan of returning home to raise a family.

I am emailing you to oppose this subdivision application which will limit parking and fish and beach access points to Koloa Boat Harbor. This application seems like a selling of the island with gains for limited few outsiders and all the cost and losses go to the local people.

I humbly urge you to consider the local community and their right to life, liberty and pursuit of happiness. The ocean is a part of Hawaiian lifestyle, to separate them or limit access is cruel and should not happen. It has already happened so much! I was born in 1988 at Wilcox and the have seen drastic changes to the island that I have not liked, as limitations to and degradation of the `Aina has exponentially increased.

Please oppose Subdivision Application No. S-2024-6 and support the local community.

Aloha,  
Agu

## Brent Sokei

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**From:** I Higa <iwalanih@gmail.com>  
**Sent:** Sunday, January 7, 2024 8:53 PM  
**To:** Planning Department  
**Subject:** Subdivision Application No. S-2024-6

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha,

It's very difficult to compose this letter while feeling hopeless. Time and time again we see nothing but defeat for the community. But what will it take for you to decide enough is enough?

These "opportunity zones" are like a horrible joke being played on the community. The City and County are absolutely failing us. So, what now?

Do you keep choosing money over the people until the homeless and low-income population is too much for the rich to bear?

Never in my life did I think I would be 36, working 3 jobs, and still worrying about buying food. Not until I moved to Kauai.

On Oahu, there was hope. There was new housing even during covid being constructed and made somewhat affordable for local people to buy.

I thought I would become a Realtor to help families find homes but quickly learned the dark reality of housing on the island. You have single handedly allowed the exploitation and over development of this island.

When are we going to see positive news for the community? Why are you not using eminent domain to take land from these rich private landowners and give it to the community for homes and roads? Why do condos in tourist areas pop up within a year or two but affordable homes are taking years and years? Why has the Hawaiian Homes in Wailua that was approved 10 years ago not started yet? Why are you only building affordable houses on the West Side of the island where there are no jobs if you are so concerned about traffic? Why are you allowing so many rental cars on the island when it's clearly a safety hazard if a fire or natural disaster happens? Why would you ever approve Coco Palms to be developed in an already overcrowded area where in a few years, the road will be in the ocean?

The list of questions goes on and on and all I can think is that there is no hope for this island, no hope for the south shore, and clearly no hope for the harbor.

One day, we will tell our children about how the county failed us.

--

**Iwalani Higa**

REALTOR® Associate, #RS-85512

## Brent Sokei

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**From:** Bridget Hammerquist <friendsofmahaulepu@hawaiiantel.net>  
**Sent:** Sunday, January 7, 2024 7:46 PM  
**To:** Planning Department  
**Cc:** Council Members; Council Testimony; Dee Morikawa; Senator Ronald Kouchi; josh.green@hawaii.gov  
**Subject:** Agenda Item G(1)(c): Preliminary Subdivision Map Approval

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.



Friends of Maha'ulepu      friendsofmahaulepu.org      1/07/2024

To: The Kauai Planning Commission  
4444 Rice Street, Suite A473  
Lihue, HI 96766  
Phone: (808) 241-4050  
Email: [planningdepartment@kauai.gov](mailto:planningdepartment@kauai.gov)

From: Friends of Maha'ulepu

Aloha Chair and Members of the Kauai County Planning Commission and Subdivision Committee,

Subject: Agenda Item G(1)(c): Preliminary Subdivision Map Approval, Subdivision Application No. S-2024-6. Kukui'ula Parcel HH Subdivision, BBCP Kukui'ula Infrastructure, LLC/ MP Kaua'i HH Development Fund, LLC for Proposed 3-lot, Consolidation and Re-subdivision into 51-lots TMK: (4) 2-6-019: 026, 029, 031 Koloa, Kaua'i. Before the Subdivision Committee 8:30 am January 9, 2024, 4444 Rice Street, Planning Conference Rooms A & B.

Please find below Friends of Māhā'ulepu's comment on Item G(1)(c): Preliminary Subdivision Map Approval, Subdivision Application No. S-2024-6. Kukui'ula Parcel HH Subdivision, BBCP Kukui'ula Infrastructure, LLC/ MP Kaua'i HH Development Fund, LLC for Proposed 3-lot, Consolidation and Re-subdivision into 51-lots TMK: (4) 2-6-019: 026, 029, 031 Koloa, Kaua'i.



1. *Applicant should be required to establish compliance with existing laws prior to obtaining further approvals from this Commission.*

Applicant MP Kaua'i HH Development Fund, LLC/BBCP Kukui'ula Infrastructure, LLC, both variously owned by foreign developer Gary Pinkston (Applicant) must first show it complies with existing obligations before the Commission grants further approval of its preliminary subdivision map.

For instance, staff recommend:

(e) Relative to the requirements/standards set forth in Ordinance No. 777 and Section 8-4.5(d) of the Kauai County Code (1987), the Applicant shall resolve with the Planning Department the provision of public access, and more specifically, access to Lawai Road from the proposed residential subdivision.

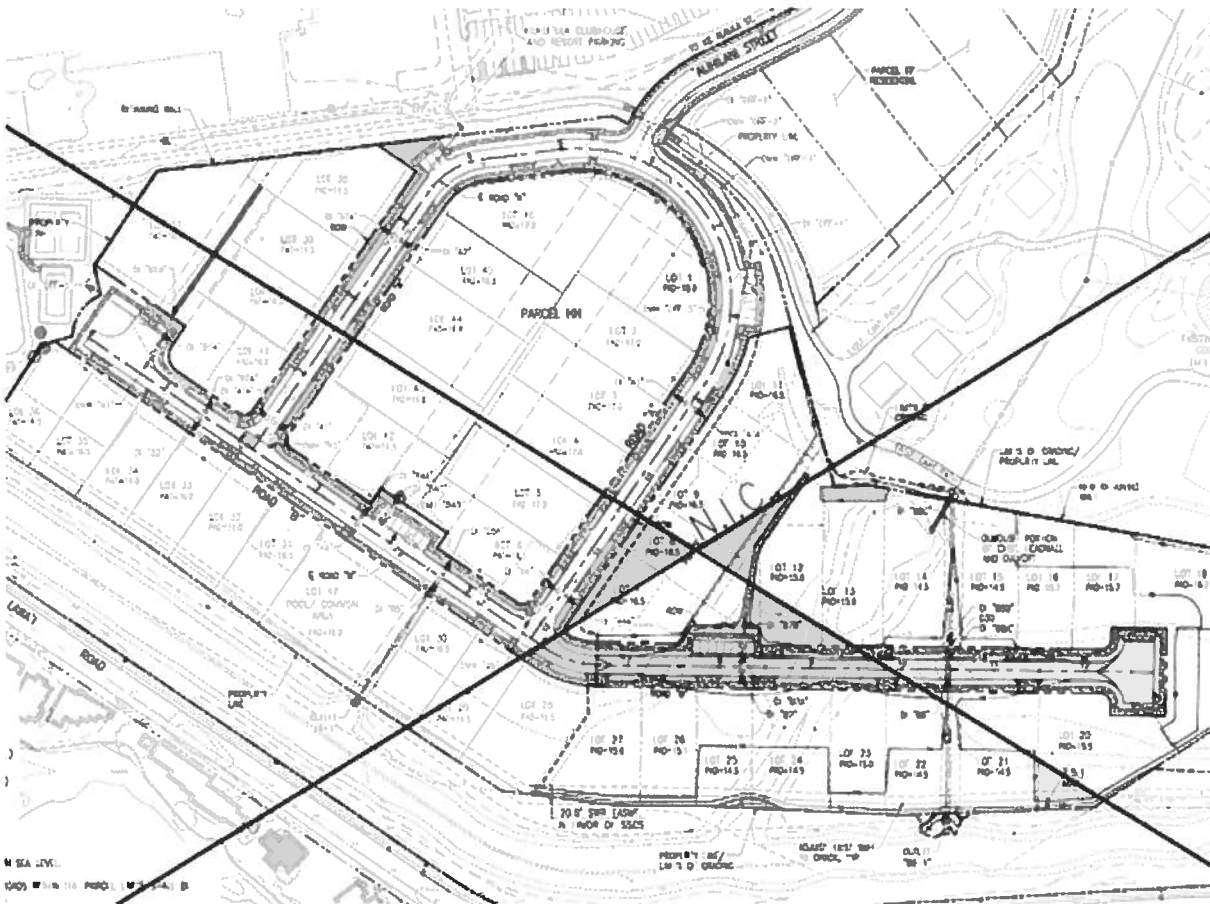
The subdivider shall incorporate the features of the Conceptual Trail Master Plan (dated April 2004) within the project area, if applicable. The access plan shall be reviewed and approved by both the Planning and Parks & Recreation Departments. Furthermore, proper documents shall be prepared and ready for execution prior to final subdivision approval. The Planning Department reserves the right to impose additional conditions relating to this matter while in the process of resolving this condition.

(f) There shall be no vehicular access permitted onto Lawai Road from proposed Lot 50. Semi-circles denoting no vehicular access permitted shall be shown on the final subdivision map. These provisions shall be incorporated as a restrictive covenant for the subject lot, draft copies of which shall be submitted to the Planning, Department for review and approval.

Staff report at 4. Drawings from May 26, 2023 do not show the project will utilize Lawai Road, but these conditions appear to anticipate its use. These issues should be addressed prior to approval of the preliminary subdivision map because the Commission may lack authority to do so when presented with the final subdivision map.

Traffic mitigation is unclear. The staff report only requires Applicant to comply with existing Ordinance PM 2004-370 regarding "7. (improvements to the roadway system)" and not until after approval of the preliminary subdivision map. These improvements should be included with any approval.

It is likely that traffic from the parcel will utilize Lawai Road to access the beach and other areas, even though the main outlet is represented to be restricted to Ke Alaula Street. Those utilizing the project will be 160 feet from the shoreline, just across Lawai Road, and will likely want to utilize the shoreline. Conversely, the project should be required to remain open to pedestrian public access to encourage open communities, jogging, biking, and otherwise a free exchange of space for recreation and cultural use.



Grading and Drainage plan, May 26, 2023 (Drawing C-108) (above).

The South Kaua'i Community Plan does not include study of the proposed addition of this subdivision, which will contribute further traffic to Ke Alaula Street. Nor is the proposed Kukui'ula development included in the traffic study as a proposed land use. South Kaua'i Community Plan, Appendix D at 16-17. The study area for the community plan "is generally bound by the following facilities including:

- Kaumuali`i Highway to the north
- Maluhia Road and Alakinoiki Road to the east
- Papalina Road and Koloa Road to the west
- Poipu Road to the south".

Lawai Road is not included in the study area and therefore predictions and plans from the community plan cannot be relied upon to address traffic contributions from the project.

The Commission should require: (1) a plan for compliance with Ordinance No. 777 and Section 8-4.5(d) of the Kauai County Code (1987) and any plans to use Lawai Road prior to preliminary map approval; (2) explicitly state traffic improvement requirements in its approval; and, (3) ensure the project is not gated against public vehicular access.

2. *Commission needs to impose stronger, better designed conditions on any preliminary subdivision approval.*

As this Commission noted in its Order and Decision, dated July 18, 2023, regarding FOM's and Save Kōloa's petition for intervention, the tentative subdivision application phase is the point at which intervention, and concomitant information necessary for deciding to grant or deny, or to develop mitigation conditions, is appropriate.[1] This Commission can and should impose conditions on the applicant. Conditions referenced by staff simply amount to informing the Applicant it must comply with existing laws and are lacking in specific requirements.

Existing laws have failed the Kukui'ula development area. Brown water advisories impacting Kukui'ula Bay to Keoniloa Bay as well as MacArthur Beach Park to Salt Pond Beach Park are becoming more frequent. Long-time community members with invaluable knowledge of this area and its peoples are continually pushed out by increasing expenses. Hundreds of historic sites have been destroyed. All of these result from specific decisions that bodies, including this Commission, have made. This application is another opportunity to rectify these issues.

3. *Require contributions to Kāneiolouma Heiau to meaningfully mitigate loss of cultural sites.*

"There is no doubt that there were extensive archaeological features throughout the Kōloa area. There is also no doubt that many of these sites have been destroyed over time[.]" Applicant's Ka Pa'akai report, at 174. The Kukui'ula development area had 58 documented archaeological sites, comprising 150 features, including platforms and 'auwai, which are reported to have been destroyed. Though the Applicant's Ka Pa'akai report concludes these sites are not within the project area, this is inconsistent with the interviews upon which that report is supposedly based. Hawaiian studies professor Puali'i Rossi-Fukino pointed out Niukapukapu Heiau lies within the Parcel H area.

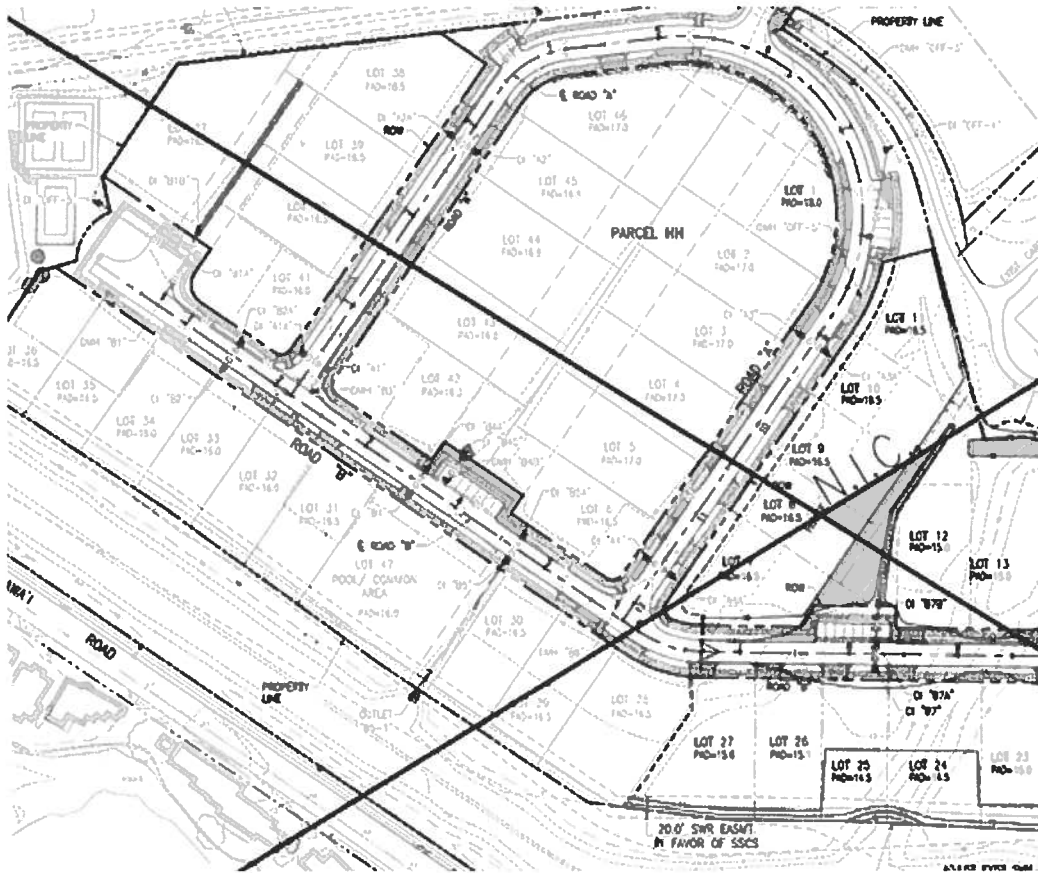
The destruction of Hawaiian historical sites has cumulative and wide-reaching impacts – across geography as well as time. Rupert Rowe, a steward of Kāneiolouma Heiau nearby the project site, talks about the continued loss of identity for these places, specifically Kukui'ula.

Given its contribution to the removal of Hawaiian identity, and the resulting redoubled importance of sites remaining in the area, Applicant should be required to contribute \$2 million to Hui Mālama o Kāneiolouma, to be used exclusively for restoration, research, planning, and administration purposes.

4. *Require runoff mitigation and water quality monitoring to protect shorelines.*

Kukui'ula coastal areas are home to large schools of fish, sea turtles, and native corals. Currently, heavy rains often result in stormwater runoff entering coastal waters at Kukui'ula Bay, and carrying overflow from cesspools, sewer, manholes, pesticides, animal fecal matter, dead animals, pathogens, chemicals and associated flood debris.[2] Kukui'ula Bay turns a rusty red due to runoff after these rainstorms. This pollution intrudes on Hawaiian gathering practices at the shoreline, the health of native species and ecosystems, and surfing and other recreation.

Historically, because of less outfall points and the dry nature of the Kukui'ula coastline and prior to the development of Kukui'ula, water quality was very clear and clean. Subdivision of the proposed project into 51 units will increase the density of land use, including by adding a common pool area and hardened pickleball court, and thus result in more, and more polluted, runoff.



(above) Grading plans, dated May 26, 2023, show a pool/ common area planned for Lot 47.

The South Kaua'i Community Plan specifies under "Drainage": (a) "Prepare a drainage study for the Po'ipū Beach/ Kaneioulouma area and propose alternative to mitigate flooding"; and, (b) "Install bioswales and rain gardens along streets, in parks, and in parking lots to collect and filter rainwater runoff and increase infiltration via landscaped areas that also beautify the place." Community Plan at 4-14. None of these studies or installations have been completed.

None of the proposed conditions address water quality issues, even though part of the project is in the special management area (SMA). This may be due to a further error; the staff report incorrectly states the subdivision project will not impact Hawaiian traditional and customary practices including because "[t]here are no known special gathering practices taking place at the project site or within the vicinity of the project site." Staff report at 3. The project site is just mauka of Lawai road, and about 160 feet from the shoreline.

Any approval should require the Applicant to: (1) prepare a drainage study to establish, beyond Department of Public Works requirements, existing runoff through the project area and to develop retention structures sized to prevent existing and increased runoff from passing through the property and subject to Commission approval; (2) install bioswales along the mauka and makai lengths of Lawai Road adjacent to the project as well as any interior roads, parks, parking lots, as determined under #1; and (3) conduct semi-annual water quality monitoring studies, perhaps in partnership with Surfrider Kaua'i, to establish both a baseline prior to construction and beyond until ten years after installation of all drainage mitigation measures.

The Commission would approve the drainage study under #1 to ensure it complies with the intent and purpose of its institution into the subdivision approval. Requirements under #2 could amend the

existing recommendation from the County DPW, which proposed the Applicant maintain the portion of the county right of way along Lawai Road.

5. *Workforce housing should be integrated into Kukui'ula project*

Four bedroom homes in Kukui'ula are currently marketed for around \$6 million. Local working residents will not be able to afford these homes. The homes are rather investment vehicles, vacation second-homes, and not going to contribute to Kōloa communities. There is no prohibition against turning these houses into vacation rentals. As real estate becomes more valuable, fewer long-time local residents will be able to afford homes and the cost of living without substantial subsidies and planned support.

The project is subject to the County's workforce housing requirements, including for reasons that it requires a subdivision or consolidation of land that would allow more than 10 residential dwelling units. KCC §7A-1.4.1(c). These are in addition to the affordable housing requirements of the LUC District Boundary Amendment No. A93-696.

The staff report includes no assessment of the socioeconomic impacts on the welfare of the community. There are no meaningful conditions put on the applicant to mitigate these impacts. The project's workforce housing obligations are not referenced at all. Kaua'i County Code (KCC) §7A-1.5 (determination of workforce housing assessment should be resolved prior to final subdivision or zoning permit approval, wherever occurs first).

Though the project was previously part of the larger Kukui'ula development under the LUC Order, in 2017, the Kukui'ula Development Co. reported to LUC that it intended to sell Phase IIIB/ Parcel HH/II.[3] The project is now requesting further entitlements to increase density of its development to approximately 47 lots, with several other lots for other uses. This development was not contemplated nor included when the affordable housing requirements were determined.

Approval of the preliminary subdivision map should be conditioned on Applicant's inclusion of at least 10 workforce housing units within its project at Kukui'ula Parcel HH and/or require development of 20 offsite workforce housing units, all of which should be subject to Commission approval prior to approval of the preliminary subdivision map.

<sup>iii</sup> Intervention against this application is impossible. The only public notice of the application appeared on January 3, 2024 agenda, a bare six days before the Subdivision Committee and Commission hearing at which decision-making will occur. Petitions to intervene must be filed seven days before the hearing. Kaua'i County Rules (KC) §1-4-3. Further, at its December 12, 2023 meeting, and in its ensuing written order dated December 22, 2023, this Commission also announced a new policy of denying petitions to intervene on bases including that a petitioner's injuries are not clearly distinguishable from the general public. Petitioners are not required to expend resources on futile efforts.

<sup>iii</sup> "Brown water advisory issued for Kaua'i shores" April 19, 2023 *available at:* [kauainownews.com/2023/04/19/brown-water-advisory-issued-for-south-and-west-facing-shores-of-kauai/](https://kauainownews.com/2023/04/19/brown-water-advisory-issued-for-south-and-west-facing-shores-of-kauai/)

<sup>iii</sup>[3] *See* Lindsay Crawford, Project Manager, Kukui'ula Development, 2017 Annual Report (Nov. 2017) *available at:* [luc.hawaii.gov/wp-content/uploads/2014/02/A93-696-ann-rprt-2017.pdf](https://luc.hawaii.gov/wp-content/uploads/2014/02/A93-696-ann-rprt-2017.pdf)

Mahalo nui,

Bridget Hammerquist, President  
Friends of Maha`ulepu, a 501(c)(3)  
Kia`i Wai o Wai`ale`ale, Co-founder  
PO Box 1654  
Koloa, HI 96756  
[friendsofmahaulepu.org](http://friendsofmahaulepu.org)  
[friendsofmahaulepu@hawaiiantel.net](mailto:friendsofmahaulepu@hawaiiantel.net)  
(808)742-1037



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## Brent Sokei

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**From:** Emma Curley <emmakurley@gmail.com>  
**Sent:** Sunday, January 7, 2024 6:42 PM  
**To:** Planning Department  
**Subject:** Subdivision application no.5-2024-6

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

I'm writing in opposition of the Kukuiula expansion down onto the harbor. It is one of the only places in Poipu that locals can still gather in a large open space. It is also one of the only spaces that isn't taken over by tourists or druggies all the time like Poipu beach. Kukuiula residents do not need any more space. They still have 100% access to the harbor so please don't make it harder for locals to gather and cause traffic in Poipu.

## Brent Sokei

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**From:** Shawn James-Leavey <shawnjamesleavey@icloud.com>  
**Sent:** Sunday, January 7, 2024 6:28 PM  
**To:** Planning Department  
**Subject:** <<OPPOSE>> S-2024-6

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Writing in STRONG OPPOSITION to Pinkerton subdivision app S-2024-6. Nuff luxury second third fourth homes for haoles, no local housing and cutting off public access to the beach!

Alika Leavey  
Volcano, HI

Sent from my iPhone



## Brent Sokei

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**From:** Kiara Lorenzo <kele.eolakakouhawaii@gmail.com>  
**Sent:** Sunday, January 7, 2024 11:03 AM  
**To:** Planning Department  
**Subject:** Testimony Subdivision application

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

My aloha to you,

My name is Kiara Lorenzo Rodrigues on behalf of E Ola Kakou Hawaii and as a wahine maoli Native Hawaiian practitioner I must testify against the subdivision application before the commission today.

Furthermore the proposed land that is to be developed is a known wahi kapu. Which means this land is not only off limits but protected under the sacred contract of akua, the iwi kupuna and ana cave systems are imperative to the cultural practices many kanaka maoli observe in relation to aumakua yet not only limited to. These caves encase lwi kupuna and huna wai that are full of nutrients and nitrates that ensure the health of our native limus, such are the corner stones to the health and abundance of our fisheries.

Nonetheless with yet another large scale development we know the unintended consequences are the continued degradation of such huna wai and coastal springs punawai that flow.

Most importantly this aina cradles the lwi kupuna of Kamakahahele the Queen regent of Kauai a famed an amazing ruler who was feared for her great mana she possessed, the most powerful prayers of "Anekapuahi" which would cause the immediate incineration of her enemy. She holds a sacred kuleana I'm her after life to kahu this area. She not only was powerful in her human life her children and their descendants would carry on the infinite wisdom and continue to protect and ensure survival of her beloved lahui.

Koloa would be much better off with no more developments that takes away the richness of history and cultural knowledge that is connected to this land and it's surrounding areas. In such close proximity one can only imagine the amounts of toxic runoffs and sewage runoffs that would contaminate the wai Kai also the sands where pregnant woman children and kupuna congregate. This would mean imminent harm to the health and safety of beach goers as well as any who partake in subsistence Lawaia practices.

I stand for the ensured protection of this land so that it can remain a safe haven of sustainable practices which our ancestors used as their main means of survival. Our mo'opuna 200 generations from now need to have the same practice and experiences. For these reasons and many more please protect Koloa and not allow any more developments in this sacred wahi Pana.

Mahalo piha.

Kiara Kelelukaana Lorenzo Rodrigues.

## Brent Sokei

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**From:** Maria Hacker <agentmariaonkauai@hotmail.com>  
**Sent:** Sunday, January 7, 2024 7:50 AM  
**To:** Planning Department  
**Subject:** Subdivision Application S-2024-6  
**Attachments:** IMG\_7814.jpg; IMG\_7315.heic

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

To whom it may concern:

I am reaching out to you regarding the Pinkston homes and units that suddenly got pushed thru & shocked that even tho Pinkston had been shut down because they had no drainage plan, lo and behold he's given a green light to build yet more homes for the rich. What happened to the drainage plan issue?? Poipu is so overcrowded and a traffic nightmare.

Is there any thought about an evacuation plan in the event of a natural disaster?

It's time for there to be an ethics audit on our politicians on Kauai.

I'm disappointed that "here we go again", more for rich people and tourists. We residents can't deal with these crowds so many of us can't go to beaches on the Southside as they are packed everywhere with tourists.

The harbor is one place we have left, and now you want to take that away too. What are the council, Mayor or any people in power doing for residents- nothing that I can see. Please tell me how this can be happening. What about cultural rights of fishing and beach access? Hawaii state law prevents taking away access to beaches.

Basically if parking is designated for certain people you are allowing beach access to be denied for residents. Is this even legal?

And meanwhile over at Poipu Beach hundreds of tourists are illegally parking with No Parking signs in plain sight- but tourists don't care, if they are ticketed they are happy to pay \$35 to park for the day, overcrowding Poipu Beach. Kauai is becoming like Kona, Maui & Waikiki, disgraceful!

It's all about the tourists and the rich!

What are you doing for locals

Please answer my questions.

My closing thought: we already have a worker shortage. This is due to no affordable housing availability. Impossible to get a housing on Kauai unless you are wealthy. Who exactly is going to be able to serve the tourists coming to this island if you are putting in yet more housing for the rich? This is already backfiring on you guys as you know full well you have a whole lot of rich people and tourists here and not enough workers to serve them. I am involved in dealing with business in my Employment and here this daily from my clients that they don't have enough workers to be able to be open the hours they previously were able to be open for business.

Please answer my questions and tell me what you are doing for residents.

Mahalo, Maria Hacker

Mahalo, Maria.

Maria Hacker  
Sales Manager  
The Free Kauai Coupon Book  
808-651-7783  
agentmariaonkauai@hotmail.com

## Brent Sokei

---

**From:** Shannan Smith <shannan.smith512@gmail.com>  
**Sent:** Sunday, January 7, 2024 7:10 AM  
**To:** Planning Department  
**Subject:** Subdivision Application S-2024-6

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha,

Please, please vote no to this application!! There will be increased drainage into the harbor. This doesn't include housing for locals who are already experiencing a housing crisis. The traffic will be a nightmare and this will be one more beach taken from locals. Please say no. We do not need more condos OR tourists. Let's support locals and say no this abhorrent idea.

Shannan Smith  
808.647.9822

## Brent Sokei

---

**From:** Cory Mira <miracory@gmail.com>  
**Sent:** Saturday, January 6, 2024 11:09 PM  
**To:** Planning Department  
**Subject:** Subdivision application No. S-2024-6

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha, abandon the project for the koloa kukuiula Harbor. The local people have spoken out against the new project and it is not wanted.

*more fun.*

Instagram: caramariexoxo

YouTube: Cory Mira

Tiktok: Coryhasfun

## Brent Sokei

---

**From:** Griffith, Zoe <griffizo@oregonstate.edu>  
**Sent:** Saturday, January 6, 2024 3:13 PM  
**To:** Planning Department  
**Subject:** Subdivision Application No. S-2024-6

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha Planning Directors,

I hope you enjoyed some time with your families and some rest over the last month. My name is Zoe Griffith and I am writing to ask you to please deny Subdivision Application No. S-2024-6.

Being away at school, I am heartbroken every week to see another piece of Kauai up for grabs to developers and roped off from Kauai's people. Boat Harbor? That is so sad. That is our fishing access. That is where my family gets together for barbeques. That is where my cousins play together. And it will be sold for what? More luxury homes for people who do not even have a connection to this place?

Your failure to halt the development Coco Palms and Kiahuna has been disappointing, to say the least, but you still have a chance with Boat Harbor. Allow Kauai a chance to talk about real climate resiliency.

Please listen to your constituents and do what is right. Please deny Subdivision Application No. S-2024-6.

Zoe Griffith

## Brent Sokei

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**From:** Susan Strom <susiwailua@gmail.com>  
**Sent:** Saturday, January 6, 2024 1:56 PM  
**To:** Planning Department  
**Subject:** Subdivision Application No. S-2024-6

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

Aloha Planning Dept. Members, County Council Members, Mayor of Kaua'i, and All affiliated interested parties:

My 'ohana and I are in Strong Opposition to Subdivision Application No. S-2024-6, and while we're at it, ANY planned subdivisions which seek to recruit transplants with ample funds that contribute to the dramatic demographic change on Kaua'i Island and communities; resulting in further edging locals out of their own communities, erasing culture, and into houselessness, poverty, and despair.

We are directly affected by this personally as well, as our own 'ohana has been fractured due to the irresponsible marketing and selling of Kaua'i properties to off-island interlopers; directly resulting in increased demand and unavailability of long-term (affordable) housing, displacement, and financial struggles for the local population. This has become a tiresome, never-ending battle against the greed and insatiability of developers and realtors in cahoots with local government officials to continue to develop regardless of the outcries and survival conditions of the locals.

Never has there been such an epidemic of homelessness, and families splintered due to being forced off their island home in order to seek survival in friendlier States and communities in mainland USA.

A local government's responsibility is to first and foremost pay heed to, and care for its local inhabitants, remembering your Oath to Serve, rather than to destroy. Your Allegiance lies in your commitment to ensuring that EVERY local resident has their basic needs met: Access to Fair and Affordable Housing; Access to Clean and Safe Drinking Water,; and Access to Healthy , Locally-Produced Food. Our local government has failed miserably on EVERY count for Far too long, and way past any allotted time with which to correct their irresponsible course of action(s). A local governing body that does NOT take care of and Prioritize their local population should be removed from position Immediately, for having failed in their responsibility, and thus failing their own People they are pledged to serve.

Therefore it is our Strong Recommendation that NO other Development be planned or implemented until Every local resident of Kaua'i has been provided with the basic needs listed above, to ensure their continuity and survival on their island home. Kaua'i has severely limited landmass, and should NOT be allowed to develop for outside settlement or profit, as we have reached an apex of Crisis in the poverty and desperation forced upon the local population. The only remedy is an immediate course of Action Correction, which directly addresses the needs of the People, ONLY.

No parallel projects to entice more outside settlement and housing competition for-profit.

We implore you to think with your Hearts, and not with your wallets, and No longer blind yourselves indifferently to the plight of the local Kaua'i residents, who pay the highest price of auctioning off our sacred island to outside interests.

Protect future generations of Kaua'i!

Cease any further actions with these development projections, such as this S-2024-6..

Sincerely,

Susan Strom & 'ohana

Lihue, HI 96766



**Brent Sokei**

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**From:** Debi Javar <debijavar@gmail.com>  
**Sent:** Saturday, January 6, 2024 11:00 AM  
**To:** Planning Department  
**Subject:** Proposed project across Kōloa boat harbor

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

I OPPOSE this development. We do Not need more luxury homes and condos. We need housing for the local people. We need access to our beach to feed our families.  
Mahalo for your time. Please do not support this project.

## Brent Sokei

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**From:** Brooke McCullough <mccullough.brooke@yahoo.com>  
**Sent:** Saturday, January 6, 2024 9:43 AM  
**To:** Planning Department  
**Subject:** Subdivision Application No. S-2024-6

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

I am emailing in opposition to the development plans in Poipu along the stretch of Lawai road. Local housing is a different story, but Poipu is already crowded with tourists and housing that locals cannot afford. This area is the last on the south side that isn't completely overrun. The harbor is a hotspot for locals with families and children, please do not take that away. Again, this is in OPPOSITION to the development plans along Lawai Road as well as the land behind it.

Brooke McCullough