



Mr. George Atta  
Director, Planning & Permitting  
City & County of Honolulu  
Frank F. Fasi Municipal Building  
650 South King Street, 7<sup>th</sup> Floor  
Honolulu, HI 96812  
By email to: [gatta@honolulu.gov](mailto:gatta@honolulu.gov)

January 24, 2016

Re: Sharks Cove Development

Dear Mr. Atta:

Our organization's mission is to "replenish and sustain the natural and cultural resources of the Pūpūkea and Waimea ahupua'a for present and future generations through active community stewardship, education, and partnerships." Formed in 2005, Mālama Pūpūkea-Waimea (MPW) has dedicated thousands of volunteer, board, and staff hours over the past eleven years to effective community-based stewardship of the Pūpūkea Marine Life Conservation District (MLCD).

Our programs include a Saturday community outreach/education tent, biological surveys, erosion control, native plant landscaping, beach clean ups, keiki education (Ka Papa Kai), partnership with the State Department of Land and Natural Resources through DOCARE's Makai Watch program, installation of interpretive signage in partnership with the City and County of Honolulu Parks Department, marine science presentations, and collaboration with the NOAA Sanctuary and many non-profit partners, local businesses, and community groups.

We are gravely concerned about the development by Hanapohaku LLC of the three B-1 "neighborhood" commercial zoned parcels directly across the highway from the Pūpūkea MLCD and Pūpūkea Beach Park. The Pūpūkea MLCD is one of only three highly protected state marine areas on O'ahu. The integrity of this fragile area is of significant concern to our organization, particularly given the very high number of visitors to the Park and MLCD. Unfortunately, City and State staffing and resources have proven inadequate to manage and mitigate the impacts of overuse, negligent conduct, and illegal activities in the Park and MLCD. Negative direct and cumulative impacts to the Park and MLCD, as well as along Kamehameha Highway, are already occurring due to the ongoing assorted activities on these three commercial parcels and will only worsen under the poorly planned commercial "tourist village" that appears to be proposed in the three SMAs.

**Mālama Pūpūkea-Waimea**  
**Post Office Box 188**  
**Hale'iwa, HI 96712**

**Board of Directors**

*Denise Antolini*  
*Colette Coty*  
*John Cutting*  
*Bob Leinau*  
*Jim Parsons*  
*Laura Parsons*

**Advisory Council**

*Athline Clark*  
*Dr. Alan Friedlander*  
*Debbie Gowensmith*  
*Bill Quinlan*  
*Palakiko Yagodich*

**Staff**

*Maxx Elizabeth Phillips,*  
*Managing Director*  
*Jenny Yagodich, Director of*  
*Educational Programs &*  
*Community Outreach*

**Federal Nonprofit Organization**  
**501(c)(3) FEIN 27-0855937**  
**[www.pupukeawaimea.org](http://www.pupukeawaimea.org)**

Letter to George Atta  
January 24, 2016  
Page 2

On January 18, 2016, shortly after we learned that the Department of Planning & Permitting (DPP) had granted three segmented SMA Minor permits for the Hanapohaku Sharks Cove Development on three adjacent parcels, we notified the owners about our concerns in writing and asked for a meeting. We further expressed our concerns at the Sunset Beach Community Association meeting on January 20, 2016, when a motion was overwhelmingly passed by our community to ask DPP to reconsider and rescind the three permits.

Please note that, as far as we know, the developer has *never* made a presentation on the project or the SMAs to the local community associations, the North Shore Neighborhood Board, or to any individuals or organizations in our community.

Today, we met with the owners for over two hours to discuss our concerns about the significant environmental impacts of their development on Pūpūkea Beach Park and the Pūpūkea Marine Life Conservation District. Our concerns focus on the lack of proper permitting, the lack of environmental review, and the lack of community consultation.

Although we appreciate that Mr. Judd and Mr. Yani finally were able to arrange a meeting with us, we did not find their answers to our concerns about the present and future primary, secondary, and cumulative environmental impacts or the permitting process to be satisfactory.

In our view, when each of the SMA Minor permit applications were submitted to DPP, the applicant failed to notify DPP that these three parcels were related, that they had a common plan for the development of the parcels, that the total value of the projects exceeded \$1,427,000, and that there were or will be significant interconnections among all three SMAs.

DPP also failed, it seems, to carefully review the stated valuation, the potentially significant environmental impacts, and the cumulative impacts of these permit applications. Therefore, DPP may and should rescind the permits, require a consolidated Major SMA permit application, require a public hearing, and require a full environmental review, including a proper traffic study.

We want to convey our full endorsement of the January 11, 2016 letter from Senator Gil Riviere to you requesting reconsideration and rescission of the three Minor SMAs for this project: 2015SMA-8 for Lot 68, 2015/SMA-47 for Lot 69, and 2015SMA-24 for Lot 70.

We also wish to inform you that, if DPP does not rescind the permits and require this project to undergo the normal review associated with an SMA Major, MPW will file requests for contested case hearings on all three permits. We expect that other organizations and individuals will also contest the permits and/or take other legal actions.

Letter to George Atta  
January 24, 2016  
Page 3

Thank you for your careful review of this matter. We appreciate that you and your staff may not have received complete and accurate information from the applicant when the SMAs were submitted, and that you have also received new information about the gravity of the community concerns and potential environmental consequences of this project.

We hope and expect that DPP will now accurately view the "big picture" of the three SMAs and cumulative impacts from the development on these contiguous parcels and take appropriate legal action.

Mahalo,

A handwritten signature in black ink, appearing to read "Denise Antolini". The signature is fluid and cursive, with a large initial 'D'.

Denise Antolini, President

Cc:

Deputy Director DPP, Art Challacombe - [challacombe@honolulu.gov](mailto:challacombe@honolulu.gov)

Andrew Yani & Cully Judd - [hanapohakullc@gmail.com](mailto:hanapohakullc@gmail.com)

Senator Gil Riviere - [SenRiviere@capitol.hawaii.gov](mailto:SenRiviere@capitol.hawaii.gov)

Council Chair Ernie Martin - [emartin@honolulu.gov](mailto:emartin@honolulu.gov)

North Shore Neighborhood Board 27, Kathleen Pahinui - [pahinuik001@hawaii.rr.com](mailto:pahinuik001@hawaii.rr.com)

Sunset Beach Community Association, Jeannie Martin - [pupukeajm@hotmail.com](mailto:pupukeajm@hotmail.com)

Save Sharks Cove, Ian Anderson - [decals@mac.com](mailto:decals@mac.com)