
Resolution 22-6 Testimony

From: CLK Council Info
Sent: Saturday, January 8, 2022 9:00 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kathleen M Pahinui
Phone
Email pahinuik001@hawaii.rr.com
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item Res22-006
Your position on the matter Support
Representing Organization Self

Aloha Committee Chair Elefante and Committee Members -

Written Testimony

I strongly support this resolution. It is time for DPP to use the tools that they have and enforce the LUO. The fact that this current situation has gone on for as long as it has unchecked is unacceptable and sends the message that you can do what you want, no consequences. This is the type of activity and attitude that is ruining our communities and will diminish the future of our keiki.

Please support this resolution and let's get DPP doing the right thing for all of us.

Malama aina,

Kathleen Pahinui
Waialua Resident

Testimony Attachment

Accept Terms and Agreement

1

IP: 192.168.200.67

MISC. COM. 5
ZP

From: CLK Council Info
Sent: Saturday, January 8, 2022 10:09 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Devon Dailey
Phone
Email hawaiiipolo@gmail.com
Meeting Date 01-07-2022
Council/PH Committee Zoning and Planning
Agenda Item Res 22-006
Your position on the matter Support
Representing Self
Organization

Written Testimony

Planning and permitting rules are being trampled island wide. Especially on ag lands. We desperately need DPP to enforce existing rules or the violations will only get more numerous and blatant. If you look to any of the 'ag subdivisions' between the east side, Kunia, and the north shore you could say that we are already in a anything goes don't worry about permits atmosphere. This needs to stop. Filling in a wetland is an enormous violation from both an environmental and a storm water/ drainage perspective, this type of behavior needs to be curtailed if we as residents want to maintain any semblance of rules based land use on Oahu.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67



A COMMUNITY DRIVEN, VOLUNTEER-BASED RESTORATION PROJECT
**Hānua Heleiau Complex
& Kēanāhā Wetland**
CELEBRATE THE CULTURAL AND NATURAL RESOURCES OF THE COMMUNITY



**2022
BOARD OF
DIRECTORS**

**Elizabeth Reilly
President**

**Allen Tateishi
Vice President**

**Dianna Gloi
Secretary**

**Marian Grey
Treasurer**

**Dean Takebayashi
Director**

**Gary Weller
Director**

**Kendrick Chang
Community Outreach
Coordinator**

**Dylan Ramos
Communications &
Operations**

Website

www.hawaiikaihui.org
www.kaiwicoast.org

**Like us on Facebook
Livable Hawaii Kai Hui
Aloha Aina O Kamilo Nui
Ka Iwi Coast**

Livable Hawaii Kai Hui is a
501(c)(3) non-profit,
community organization
serving East Honolulu
since 2004. We strive to
promote sensible growth,
respect for cultural &
natural resources and
upholding the integrity of
the East Honolulu
Sustainable Communities
Plan.

January 10, 2022

**Honolulu City Council
Committee on Zoning and Planning
Meeting on January 13, 2022 at 9 a.m.
Honolulu Hale/Virtual Meeting**

**RE: Strong support for Resolution 22-6 urging DPP to address violations
at 54-406 Kamehameha Highway, Hau'ula**

**Aloha Chair Elefante, Vice Chair Kia'aina, and Zoning and Planning Committee
Members,**

**Livable Hawaii Kai Hui strongly supports Resolution 22-6 urging the
Department of Planning and Permitting (DPP) to address outstanding violations
at 54-406 Kamehameha Highway.**

The situation facing our friends in Hau'ula is the same one we fought for 20 years on our agricultural lands in Kamilonui Valley. It finally changed – though we must remain vigilant – on April 13, 2018 when a 24-hour storm brought an entire 20-foot stockpile of post-road construction debris crashing through the valley.

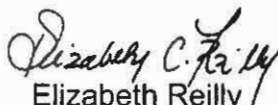
It was like a dam had broken. We lost two footbridges, greenhouses and other critical infrastructure on the land below. Local news stations even came out to document the damage. As of today, even after an amazingly generous outpouring of support, the nursery has still not been made whole.

When it rains, water sheets throughout the entire back section of the nursery. On its own, we love the rain and the blessings it grows, and we do our best to respect the natural flow of the usually dry Kamilo Nui Stream. But even such respect cannot protect us – or those in a similar position – from the preventable damages caused by violations like those we saw in Kamilonui or the ones ongoing in Hau'ula.

Reading this resolution gives us flashbacks of 2018, because it is clear that our friends are dealing with the same transgressions and abuses of the land and zoning restrictions.

With that said, we'd like to send a big mahalo to Councilmember Tsuneyoshi for introducing this Resolution. Livable Hawaii Kai Hui hopes that this Committee and the larger Council will maintain oversight of DPP's response and hold them accountable for addressing these issues in a comprehensive and timely manner.

Mahalo,


Elizabeth Reilly
Founder/President
Livable Hawaii Kai Hui



A COMMUNITY-DRIVEN, VOLUNTARY-BASED RESTORATION PROJECT

Hauwa Heiau Complex
& Keawāwa Wetland

CALLING TO THE PEOPLE AND NATURAL RESOURCES OF THE COMMUNITY

Ka Iwi Coalition

Mauka to Makai



January 10, 2022

**Honolulu City Council
Committee on Zoning and Planning
Meeting on January 13, 2022 at 9 a.m.
Honolulu Hale/Virtual Meeting**

**RE: Support for Resolution 22-6 pleading with DPP to address violations at
54-406 Kamehameha Highway, Hau'ula, ethically.**

Aloha,

Please note that I would have loved to give my testimony virtually, but I am a school teacher and with the staffing shortages there was no way I could leave my class. This issue is of utmost importance to me and my family and the results of this could determine if me and my family can continue to reside in our beloved home.

My name is Stacia Sage and I live with my family, across Kamehameha Hwy. from 54-406 Kamehameha Hwy. Hauula. Since November of 2019, I personally as well as other community members have been emailing and calling the DPP to report the various unpermitted and illegal activities occurring at this property.

Initially it seemed that the DPP was going to address these problems, but after seeing only escalation in the illegal and unpermitted activities on the property it became apparent that the DPP was not actively enforcing the zoning and codes that they are tasked to. It became clear that the burden to prove that the property was being used as a baseyard and that grating and dumping were continually occurring, was on the community.

My communications and complaints were not addressed professionally or with the urgency one might expect from a city and county agency. I would call one inspector to inform them of the continual grating as well as other violations occurring on the property. Instead of taking care of it internally, it was on me to find the names and numbers of the inspector whose jurisdiction the various other violations were under. At one point I was notified by an inspector that the zoning issue had been resolved and that the owner was no longer running the construction/demolition/roff off company from the property, while I could see right out my window- clearly that was not the situation. The inspector took the property owner's word, instead of actually performing site visits. When I began emailing the director I would get emails saying the issues would be referred to the appropriate inspectors, with no follow up. Getting the DPP to act became a second job for me and my partner.

The DPP in emails to us are claiming that there is nothing more that they can do outside of the fines they have implemented, and they have referred the situation to outside agencies. I find this to be outrageous. The department tasked with enforcing zoning laws and ordinances, and building codes is unable to do so! I do not believe they have exhausted all avenues available to them. For one, they could impose fines that reflect the actions that are happening on the property. Second, they could actively enforce a stop work order with the assistance of HPD. There was a time in 2020 that the community was in contact with HPD out of Kaneohe and they were willing to help with the situation, but DPP was unable to give them clear guidance as to what to enforce.

The property owner who is in violation, who lied about the activities occurring on his property for over a year, and who as of yet to show goodwill into coming into compliance, rights are being protected above everyone else's in the community. His rights have been held above my right to enjoy my own property in peace, without the constant noise of dumping, grating, and running of heavy machinery. My right to sit on my front porch and not witness and smell the garbage being dumped into the waterway that flows to the ocean that my kids swim in. To not breathe in the construction waste that is being burned across the street. The stress this situation has caused my family has put us in a position where we will need to move if this is not resolved soon. We have spent over two years calling, emailing, documenting and waiting for this to be taken care of by the agency whose job is to do just that. With that being said, I am

fearful that the powers that be at DPP, are so lacking in ethics, that they will wash their hands of this by allowing the rezoning of the property. Essentially making it legal for this 12 acres of agricultural land to be used as a baseyard and landfill for this blatant environmental offender.

If this is not taken care of by the DPP, it will continue to happen. People will buy AG.II land, which is priced accordingly (this 12 acre Ag.II property was purchased for under 1 million) and use it for whatever they please. No other entity has the responsibility of enforcing zoning and building codes. The burden should be on the DPP, this is the only way to stop this situation and send the message that in Hawaii we enforce our laws, protect our Aina and law abiding citizens.

Thank you for your efforts,

Stacia Sage

**54-359 Kamehameha Hwy
Hauula, HI 96717
808-366-9746**

From: CLK Council Info
Sent: Monday, January 10, 2022 4:10 PM
Subject: Executive Matters & Legal Affairs Testimony

Written Testimony

Name Debra Allen
Phone
Email Debra@808investigations.com
Meeting Date 01-13-2022
Council/PH Committee Executive Matters and Legal Affairs
Agenda Item 54-406 *Res. 22-6*
Your position on the matter Support
Representing Self
Organization

Written Testimony

Please make the land and environmental damage occurring in Hau'ula to stop immediately. The number of illegal dump business trailers entering the property and burying hazardous waste onto the property for over two years with at least eight loads a day and possibly more. The traffic has to stop for the dump trucks to enter and exit the property onto Kam Highway without a posted and marked intersection, causing traffic hazards to the public. The odor from the piggery is atrocious and unsanitary, not to mention inhumane. There is an illegal home he moved to the property without permits. Now he added an illegal vendor stand onto the property causing traffic and people to park on the highway, bus lane and bus stop. So many agencies have fined and notified the owner to cease to no avail, Our community board has asked the owner to stop to no avail. Please do the right thing for our community, make him clean up the property, the health nuisance he caused and pay restitution. Then restore the to agricultural land.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 10, 2022 6:54 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Angela Huntemer
Phone
Email ahuntemer@aol.com
Meeting Date 01-13-2022
Council/PH Zoning and Planning
Committee
Agenda Item RESOLUTION 22-6
Your position on Support
the matter
Representing Self
Organization

Written
Testimony

The Department of Planning and Permitting needs to flfill their duties. The numerous and ongoing violations must be addressed. The fines must be collected in full for 54-406 Kam Highway in Hauula. There are numerous illegal structures, there have been numerous unpermitted grubbing and grading activities apart from the Federal wetland violations. As of December 2021 there is a retail outlet selling "carving" that is set up in a dangerous area at the side of the road. There is nowhere for clients to this illegal business to pull off the road. Please address the ILLEGAL WATER HOOK UP TO THE FIRE HYDRANT outside this property. They are using City water for their business operation. These people have been emboldened by lack of action and / or consequences to a litany of illegal activity. They are a disgrace to the community. Thank you for addressing this matter. Please commit to working with the Federal authorities so that the violators will have to remediate the property and restore the wetland and native plants that they destroyed. Mahalo.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Monday, January 10, 2022 10:02 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Roberts Leinau
Phone	
Email	leinaur001@hawaii.rr.com
Meeting Date	01-13-2022
Council/PH Committee	Zoning and Planning
Agenda Item	reso 22-6
Your position on the matter	Support
Representing Organization	Self
Written Testimony	It is a sad day when the community has to rally to get the City to do its job relative to enforcing the laws that protect us all. Please get things straightened out with the scoflaw in Hauuala. It has been too long ... already.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 11, 2022 9:21 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Joe Wilson
Phone
Email qwavesjoe@yahoo.com
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item Resolution 22-6
Your position on the matter Support
Representing Self
Organization Aloha Committee Members,

I write in strong Support of Resolution 22-6 urging the Department of Planning & Permitting (DPP) to immediately address the outstanding violations on the Hau'ula property owned and used as an illegal dump by Hoapate Taufa.

Area residents have been raising alarms about the environmental, traffic, and public health hazards - and the Hau'ula Community Association has been calling on the DPP to shut down this illegal operation - for more than two years.

Written
Testimony

It is outrageous that this course of action is necessary, that in this and so many situations across O'ahu, the negligence, or worse, of the DPP is a contributing rather than mitigating factor in such problems.

With this resolution, it is my hope that this committee and the City Council will 1) take quick action to address the outstanding violations on the Taufa property, 2) hold the owner accountable, and 3) launch a more comprehensive process to, finally, address the systemic flaws within the DPP that make this type of situation a norm rather than an aberration.

Like some of you, we voters are getting restless,

Joe Wilson
resident of Kaunala
member of the Waialua Ko'olau Alliance

Testimony
Attachment

From: CLK Council Info
Sent: Tuesday, January 11, 2022 9:26 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name MARGARET PRIMACIO
Phone
Email defendoahucoalition@gmail.com
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item Reso22-006
Your position on the matter Support
Representing Organization Organization
Defend Oahu Coalition
Good Morning Committee Chair & Members,


Written Testimony Defend Oahu Coalition supports enforcement and compliance with zoning laws at this mauka Hau'ula property. DPP needs to protect surrounding properties impacted by incorrect activities at this agriculture lot. Consistent regulating at this site is needed.
Mahalo,
Margaret Primacio
President

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 11, 2022 7:55 AM
Subject: Council Testimony

Written Testimony

Name  John Thielst
Phone
Email thielst@coffman.com
Meeting Date 01-11-2022
Council/PH Committee Council
Agenda Item RES22-006
Your position on the matter Support
Representing Self
Organization

Written Testimony

RE: Strong support for Resolution 22-6 urging DPP to address violations at 54-406 Kamehameha Highway, Hau'ula Aloha Chair Elefante, Vice Chair Kia'aina, and Zoning and Planning Committee Members, Livable Hawaii Kai Hui strongly supports Resolution 22-6 urging the Department of Planning and Permitting (DPP) to address outstanding violations at 54-406 Kamehameha Highway. The situation facing our friends in Hau'ula is the same one we fought for 20 years on our agricultural lands in Kamilonui Valley. It finally changed – though we must remain vigilant – on April 13, 2018 when a 24-hour storm brought an entire 20-foot stockpile of post-road construction debris crashing through the valley. It was like a dam had broken. We lost two footbridges, greenhouses and other critical infrastructure on the land below. Local news stations even came out to document the damage. As of today, even after an amazingly generous outpouring of support, the nursery has still not been made whole.

When it rains, water sheets throughout the entire back section of the nursery.
On its own, we love the rain and the blessings it grows, and we do our best to respect the natural flow of the usually dry Kamilo Nui Stream. But even such respect cannot protect us – or those in a similar position – from the preventable damages caused by violations like those we saw in Kamilonui or the ones ongoing in Hau'ula.
Reading this resolution gives us flashbacks of 2018, because it is clear that our friends are dealing with the same transgressions and abuses of the land and zoning restrictions.
With that said, we'd like to send a big mahalo to Councilmember Tsuneyoshi for introducing this Resolution. Livable Hawaii Kai Hui hopes that this Committee and the larger Council will maintain oversight of DPP's response and hold them accountable for addressing these issues in a comprehensive and timely manner.

Thank you,
John Thielst
36 year North Shore Resident

Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

TIME RECEIVED
January 10, 2022 at 2:24:16 PM HST

REMOTE CSID
18888357084

DURATION
203

PAGES
4

STATUS
Received

To: +18087683826

Page: 1 of 4

2022-01-11 00:20:49 GMT

18888357084

From: g g

FAX COVER SHEET

TO	
COMPANY	
FAX NUMBER	18087683826
FROM	g g
DATE	2022-01-11 00:20:35 GMT
RE	Testimony of Council Resolution 54-406P <i>Reso. 22-6</i>

COVER MESSAGE

Please see attached fax of 3 pages, total 4 pages including this cover sheet.

Mahalo -

FAX MY TESTIMONY OF COUNCIL RESOLUTION 54-406 P
JANUARY 10,2022

FAX NUMBER (808)-768-3826

TO OFFICE OF THE CITY CLERK

From Burton A. Greene TELEPHONE 808-293-0820

3 pages including the cover page

Memorandum For: Office of the City Clerk
Attn: Information Section
530 King South King Street
Honolulu, HI 96813

January 10, 2022

SUBJECT: TESTIMONY IN SUPPORT OF COUNCIL MEMBER RESOLUTION 54-406

1. Resolution 54-406 urges the City Office of Permitting and Planning to take more active measures in addressing the ongoing blatant zoning violations being conducted daily by the property owners with no apparent corrective property owner responses as far back beginning in 2017.
2. Meanwhile some known multiple violations which are illegal activities are listed below:
 - Construction base yard operations on AG zoned property
 - Dumping construction material into protected wetland property without a special permit.
 - Erecting a structure, fencing, utility poles without permits.
 - Flooding causing damages to homes near the property possibly as a result of construction equipment/material storage and changed flow channels as a result.
3. More recently homes, including my home and businesses near the property at the Hauula Kai Shopping Center have experienced an awful smell which appears to be coming from the property where an unknown number of pigs are being kept.

4. Over the period of the initial property violations beginning in 2017 actions taken by the City DPP included multiple penalties, fines and Notices of Violations but have not succeeded with the property owner's refusal to bring the property in compliance with the law.
5. Unfortunately, very little or no change has occurred over the past Five years and our community continues to bare the negative affects associated with the ongoing unlawful actions of the property owner. Our community just cannot hope things will improve moving forward. We need responsible City, State, and Federal Agencies who have responsibilities to enforce Zoning and Permitting compliance, including compliance protection of the Wetlands to take action now.
6. My name is Burton Greene a former member of the Hauula Community Association and the Ko'olauloa Neighborhood Board. My family and I live at 54-012 Kahikole Place, Hauula Hi 96717, on the makai side of Kamehameha Highway, directly across the property at 54-406 and **I STRONGLY SUPPORT THE RESOLUTION.**

Respectfully,



Burton Greene.

Email: greeneb002@gmail.com

54-012 Kahikole Place.

Phone: 808 293-0820

Hauula, Hi 96717

PS: The Office of the City Clerk requires that Testifiers who FAX their testimony must provide name, address, phone number and email address along with my Testimony are provided above as requested.

From: CLK Council Info
Sent: Tuesday, January 11, 2022 12:16 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Christina Ford
Phone	
Email	christinamcewan@hotmail.com
Meeting Date	01-13-2022
Council/PH Committee	Zoning and Planning
Agenda Item	22-6
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Take care of our land!
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 11, 2022 12:19 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Koren Ferris
Phone	
Email	8kaaawa8@gmail.com
Meeting Date	01-13-2022
Council/PH Committee	Zoning and Planning
Agenda Item	22-6
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 11, 2022 12:36 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Joshua Ford
Phone
Email joshuajford@juno.com
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item Resolution 22-6
Your position on the matter Support
Representing Self
Organization

Written Testimony The illegal dumping and development occurring at the Iosepa site endangers the ecosystem, negatively impacts residents' quality of life, and sets a dangerous precedence for illegal development in the Ko'olaupua region.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 11, 2022 2:24 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name William Quinlan
Phone
Email nimboy44@aol.com
Meeting Date 01-13-2022
Council/PH Zoning and Planning
Committee
Agenda Item RES 22-6
Your position on the matter Support
Representing Self
Organization

Written Testimony The DPP needs to urgently address the violations at 54-406 Kamehameha Highway Hau'ula. Too much damage has already been done and the owners need to take action to prevent further damage from flooding.

Testimony
Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 11, 2022 2:56 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Rebekah Strain
Phone
Email rkp2@byulaw.net
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item 4 *Reso 22-6*
Your position on the matter Support
Representing Self
Organization
Written Testimony
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 11, 2022 3:07 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Sandy Oku
Phone
Email sandyoku@hawaii.rr.com
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item 22-~~1~~6
Your position on the matter Support
Representing Self
Organization
Written Testimony
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 11, 2022 3:58 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Sandi Aluli
Phone
Email Aluli01@gmail.com
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item 22-6
Your position on the matter Support
Representing Self
Organization
Written Testimony
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 11, 2022 4:06 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Hailey Mozo
Phone
Email haileyfaye33@yahoo.com
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item DPP andiosepa property
Your position on the matter Support
Representing Self
Organization
Written Testimony I support the DPP taking action against the losepa property in Hauula. The owners of the property don't follow the laws and don't pay the fines that they have acquired.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 11, 2022 4:21 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Robin Sage
Phone
Email Rsage55@gmail.com
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item Resolution 22-6
Your position on the matter Support
Representing Self
Organization

Aloha,

Written
Testimony

I am writing in strong support for resolution 22-6. For over 2 years I have witnessed the agricultural land across from my home be transformed from a wetland to a dump. Thousands of dump truck loads of various fill have been used to grate over the wetland. The noise that comes with this lasts for hours on end, day after day. This property is being used as a base yard for the owner's electric/construction/ demolition/ and rolloff business. This means that large trucks with roll off containers come and dump various construction refuse as well as just plain garbage on the land. The waste is then smashed using an excavator. The larger portions that the EPA might cite him for are taken to the landfill. Smaller bits get pushed into the wetland and buried with other fill material (recycled asphalt and such). This process is loud and disturbing. Outside of the detrimental environmental impacts of this activity, and the noise nuisance this process causes, is the fact that this should not even be taking place on this property. This land is residentially zoned. This land is also Agricultural II, which means there are strict regulations as to what you are able to do on this land. Thus far this land owner has only endured fines. These fines are just a cost of business for an operator who doesn't have to pay tipping fees at the landfill because he has transformed this property into one. Less than 5 months ago the land owner was able to purchase 2 new trucks and 17 new rolloff containers. Without proper enforcement of zoning codes and land use ordinances, this reckless owner has been able to expand his business and exasperate the illegal dumping and grating issues on this property.

This has been occurring for much too long. The offenses are blatant. We have been asking for help from all city, state and federal agencies. And yet there has been no stop to the illegal activities occurring on the property. We need our government to protect us against people and businesses like this.

Thank you for your time,

Robin Sage
54-359 Kamehameha Hwy.
Hauula, HI 96717

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 11, 2022 4:26 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Ella Siroskey
Phone
Email ellarn@hawaii.rr.com
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item Resolution 22-6
Your position on the matter Support
Representing Self
Organization

Written Testimony

For the last two years the concerns have grown along with the anger over this large travesty of injustice by Iosepa Electric's operation growing without any government agency stopping the ongoing illegal operation of several businesses that includes dumping and burying tons and tons of construction waste. We are told that he is being fined and told he can't do what he is doing, yet the owner seems to just ignore the law! During 2020 and 2021, HCA has not only been battling the COVID 19 pandemic but we also have had to battle an illegal dump next to Hau'ula Shopping Center. The community has been calling, sending photos and pleading with our State and City representatives to ensure us that the laws will be enforced to keep our residents and Aina healthy! We are still waiting for enforcement but it has now been over 2 years of dumping illegally and we are now concerned that no one is going to stop it! In plain view of the whole community, Hopate Taufu, the co-owner of Iosepa Electric and Construction Company, is continuing his roll-off business and bringing large dump-trucks of waste materials from all over the Windward side of Oahu. There are at least about 6-8 trucks and roll-offs per day coming onto this Hauula Ag land and then leaving empty. This goes on six days a week from dawn to dusk. Community members have also reported and taken photos of excavators digging huge holes and burying the waste materials. The trucks that carry these rolloff containers of waste materials onto the site are very large and frequently the workers stop traffic on Kamehameha Highway, the only roadway around this side of the island, to enable the trucks to enter and depart. Frequently trucks leave large amounts of debris on the highway.

This ag land has always been very wet because it rains often in Hauula and the water typically ponds on this land on the makai side and then when the ponds over-flow they follow a ditch that flows directly to the ocean under Kamehameha Highway through a residential development. Our community has concerns about water contamination from all the illegal waste materials and contamination of the aina/wetland and then flowing through a drainage ditch under Kam Hwy. to the ocean, about one block away. Any runoff from this property has got to be contaminated. Also, there have been recent complaints about the odors

coming from the property. There is a pig arm on the property that is located very close to the shopping center. I had to pick up food to be delivered to community members from Papa Ole's and the smell was just putrid! I also witnessed a bulldozer not far from the fence line by the back end of the post office - I wondered what they were burying now. On super bowl Sunday 2021 after dark a house was moved onto the property. It wasn't there on Sunday but was there Monday morning. We watched in the following weeks how the house was raised and pillars erected under it - now a building on stilts. Where were the permits? Now an art gallery is on the property and another driveway without a permit - we checked. The art gallery is very close to the highway - and I'm certain Councilwoman Tsuneyoshi has photos. Traffic on Kamehameha Highway can be challenging enough with people going in and out of the shopping center and now the Art Gallery entrance is another issue. There are so many issues going on here and while we keep complaining, it seems nothing is being done. Why is Hopate Taufa being allowed to run a business on this agricultural land which is also a wetland property? Why aren't our City zoning laws being enforced? The destruction of this property is a travesty. Any other property owner has to get permits BEFORE doing work - why doesn't he?

Testimony

Attachment

Accept Terms
and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 11, 2022 4:45 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Christine Otto Zaa
Phone
Email ottozaa@gmail.com
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item Reso 22-6
Your position on the matter Support
Representing Self
Organization

Aloha Councilmembers,

Written
Testimony

Please support this resolution to protect the neighbors and community from illegal activity. We have zoning districts and rules to protect people and communities. This community has long suffered the negative impacts of this property owner's selfish actions.

The community members are not asking for special treatment. They just want the rules enforced.

Mahalo,
Christine Otto Zaa

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 11, 2022 6:06 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Kimberly Davenport Hunt
Phone	
Email	kauaidav@yahoo.com
Meeting Date	01-13-2022
Council/PH Committee	Zoning and Planning
Agenda Item	22-6
Your position on the matter	Support
Representing Organization	Self
Written Testimony	Immediately stop all illegal dumping and commercial operations by loesepa electric and construction on AG-2 land at 54-406 Kamehameha Hwy. Hau'ula Hi 96717 Kimberly Hunt
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 11, 2022 6:46 PM
Subject: Council Testimony

Written Testimony

Name	Kathy Boyle
Phone	
Email	Boylekathy@yahoo.com
Meeting Date	01-13-2022
Council/PH Committee	Council
Agenda Item	22-6
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 11, 2022 6:54 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Lorraine Matagi
Phone
Email matagil52@gmail.com
Meeting Date 01-13-2022
Council/PH
Committee Zoning and Planning
Agenda Item Resolution 22-6
Your position on
the matter Support
Representing Self
Organization

Written Testimony Immediate action needs to be taken to address the continuing blatant violations and pollution of the AG land and watershed located on 54-406 Kamehameha Highway in Hau'ula; and to ensure this company is not allowed to simply purchase other AG lands and do the same thing with those lands.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 11, 2022 6:55 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Elizabeth Martin
Phone
Email elizabeth96744@gmail.com
Meeting Date 01-12-2022
Council/PH Committee Zoning and Planning
Agenda Item Resolution 22-6
Your position on the matter Support
Representing Self
Organization
Written Testimony
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 11, 2022 7:07 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name willaim Racoma
Phone
Email halelaie@aol.com
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item Resolution 22-6
Your position on the matter Support
Representing Self
Organization
Written Testimony This is precious Ag land being used as a dump, hazardous waste material and solid waste landfill/storage and industrial machinery and waste disposal storage.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 12, 2022 7:38 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Wanda Kamauoha
Phone
Email 808wanda@gmail.com
Meeting Date 01-13-2022
Council/PH Zoning and Planning
Committee
Agenda Item 220 Reso. 22-6
Your position on the matter Support
Representing Self
Organization

Written
Testimony

Everything that has been going on within this property is totally illegal and should be shut down immediately. All the illegal materials that has been used to fill in this former wetland must be removed. Why are they being allowed to act as though they are above the law? Why is it taking so long to have this stopped? If this type of wrong doing continues, then it won't be long before more and more of these types of cases will continue to happen and be out of control on this island.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 11, 2022 7:43 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name lisa chang
Phone
Email ll34@hawaii.edu
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item Resolution: 22-6
Your position on the matter Support
Representing Self
Organization
Written Testimony
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Tuesday, January 11, 2022 10:16 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Jojo Chang
Phone
Email aquanluehawaii@gmail.com
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item Resolution 22-6
Your position on the matter Support
Representing Self
Organization

Written
Testimony

The man that owns the property next to the Hau'ula shopping center has created a solid waste landfill in Hau'ula right next to to shopping center. All the filth / chemicals are flowing right into the ocean just one block away. He's paying all kinds of fines and just laughing all the way to the bank... making millions. We have to stop him he's been doing this for 2 years... and he had to be stopped! We are very concerned about the health and safety of the people living close by and the environment.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 12, 2022 12:14 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Deborah Parr
Phone
Email parrd808@hotmail.com
Meeting Date 01-13-2022
Council/PH Zoning and Planning
Committee
Agenda Item Resolution 22-6
Your position on the matter Support
Representing Self
Organization

Written
Testimony

I want to focus on the removal of trees and foilage behind the property of 55-046 Kam Hwy which has left the property more susceptible to flooding as it did on March 9, 2021. Both water and mud were washed down from the mountain for the first time into my yard where the foliage had been removed to accommodate heavy vehicles. No significant altercation to the environment should occur without prior environmental assessment, permit and community input

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 12, 2022 2:07 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Art Minor
Phone
Email Minorartd@gmail.com
Meeting Date 01-13-2022
Council/PH
Committee Zoning and Planning
Agenda Item RESOLUTION 54-406
Your position
on the matter Support
Representing Self
Organization

I strongly support RESOLUTION 54-406 being submitted by Council Member Heidi Tsuneyoshi office.

Being that DPP is essentially the agency that is in charge of Ag 2 zoned properties it is important that they have the ability to address massive violators and enforce compliance of these said violators.

This 12 acre ag 2 zoned property off of Kamehameha Hwy in Hauula and adjacent to the Tamuras/Longs property is the one in question. The owner of this property Hopate Taufu is also the owner and operator of Iosepa construction. He has owned this Ag 2 zoned property for around 2 years and has been illegally operating his rolloffs and construction business here for this entire time. Along with running multiple businesses he has also been illegally dumping and grading this property, dumping thousands and thousands of loads of fill, concrete, asphalt, etc. This has dramatically altered the landscape and has impacted the community and environment. We have witnesses this property change significantly over the past 2 years and began filing complaints with the DPP in November of 2019 when the owner began his operations.

Written
Testimony

During this time the DPP has issued fines that have been accruing daily for the continued grading/filling, the base yard /business operations, the nonpermitted structures and various other violations. To my knowledge there has never been any type of real enforcement action outside of the fines that have had no impact on the property owners actions.

As of the end of 2021 for around 2 years of illegal operations, grading, dumping, etc they have only been fined around a total of \$400,000 by the DPP. These fines appear extremely minor to the profits they have made and all the profits they continue to make.

Recently/early November they purchased 20 plus new to them rolloffs containers and have purchased new semi trucks fitted for those containers. The business is booming/expanding exponentially, they have made millions and millions of dollars due to being able to illegally dump/fill/grade alot of their construction waste and operate their businesses. They will continue

to profit immensely if the status quo continues at the detriment of the ocean, environment and community. Also of note is the new gift shop on this property that also came in November/December of 2021 that is also illegally operating.

Kindly Requesting that the city council consider adopting this resolution and look at legislation that will help strengthen fines and enforcement actions that the DPP can implement with massive violators such as this case.

Tried attaching pics but unable to do so...links to my google drive if accessible and have numerous pics.

1.6.22 Photo_6881364_DJI_84_jpg_4364751_0_20221617138_photo_original.jpg

1.6.22. Photo_6881362_DJI_82_jpg_4291447_0_20221617132_photo_original.jpg

1.6.22. Photo_6881361_DJI_81_jpg_4324295_0_20221617130_photo_original.jpg

1.6.22. Photo_6881360_DJI_80_jpg_4385385_0_20221617128_photo_original.jpg

1.6.22. Photo_6881359_DJI_79_jpg_4279872_0_20221617124_photo_original.jpg

1.6.22. Photo_6881355_DJI_75_jpg_4416014_0_2022161714_photo_original.jpg

1.6.22. Photo_6881335_DJI_55_jpg_4200866_0_202216165826_photo_original.jpg

1.6.22. Photo_6881336_DJI_56_jpg_4221055_0_202216165838_photo_original.jpg

1.6.22. Photo_6881349_DJI_69_jpg_4422639_0_20221617038_photo_original.jpg

1.6.22. solid waste/pig pen/fill dump. 20220108_133233.jpg

Mahalo for your time.

Testimony
Attachment

Accept Terms
and 1
Agreement

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 12, 2022 3:58 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Edmund Gray
Phone	
Email	Epgray14@yahoo.com
Meeting Date	01-13-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Resolution 22-6
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 12, 2022 6:17 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Laura Cummings
Phone
Email Laura.cummings@k12.hi.us
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item 22-6
Your position on the matter Support
Representing Self
Organization
Written Testimony
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 12, 2022 7:05 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Zenobia K. Iese
Phone
Email ieset002@hawaii.rr.com
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item Resolution 22-6 Zoning & Planning
Your position on the matter Support
Representing Self
Organization
Written Testimony I, Zenobia K. Iese, vote in favor of passing
Resolution 22-6 Zoning & Planning.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

January 12, 2022

Aloha Chair Elefante, Vice Chair Kia'Aina and Zoning and Planning Committee members

The fully documented and continuing illegal activities at 54-406 Kamehameha Highway in Hauula are probably the most blatant and unmitigated violations of environmental and zoning regulations I have seen for years.

DPP's lack of meaningful enforcement is outrageous, as usual, and totally unacceptable. This has to change now.

In order to protect our fragile environment and the integrity of our neighborhoods, I urge the committee to immediately pass Resolution 22-006—then address the widespread problem of lack of enforcement of laws and zoning regulations.

Respectfully,
Larry McElheny
lkmcelheny@gmail.com
(808) 237-9354



Hawaii's Thousand Friends

335 Hahani Street #342132 * Kailua, HI 96734 * Phone/Fax (808) 262-0682 E-Mail: huf3000@gmail.com

January 13, 2022

Honolulu City Council
Committee on Zoning and Planning

Resolution 22-6 URGING THE DEPARTMENT OF PLANNING AND PERMITTING TO
IMMEDIATELY ADDRESS OUTSTANDING VIOLATIONS RELATED TO THE
PROPERTY AT 54-406 KAMEHAMEHA HIGHWAY IN AHU'ULA (TMK 5-4-004:021)

Aloha Chair Elefante, Vice Chair Kia`aina, and Committee Members

Hawaii's Thousand Friends supports Resolution 22-6 but laments the need for such action.

Situations such as the illegal unpermitted dumping, grading and commercial activity on AG-2 land is an on going problem throughout the island of Oahu.

Even with DPP issuing 10 Notices of Violation since 2017 and the Department of Health issuing a \$17,000 fine for dumping construction materials into a protected wetland without an Army Corp of Engineers permit the activity has continued.

The longer violations are left unresolved the more the environment is damaged, neighboring properties are impacted and the public is discouraged with a government that does not uphold and enforce laws and zoning.

We urge the committee to pass this resolution to protect the environment and neighbors then look at how the larger problem of lack of enforcement of laws and zoning can be resolved.

From: CLK Council Info
Sent: Wednesday, January 12, 2022 9:56 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Andrew king
Phone
Email Atlantica333@yahoo.com
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning ~~Reso 22-16~~
Agenda Item Pass resolution for Dpp to deal with Iosepa properties illegal activities
Your position on the matter Support
Representing Self
Organization
Written Testimony
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67



HOUSE OF REPRESENTATIVES

STATE OF HAWAII
STATE CAPITOL
HONOLULU, HAWAII 96813

Representative Sean Quinlan
Chair – Committee on Economic Development
Hawai'i House District 47

Testimony of Representative Sean Quinlan
Honolulu City Council 22-6
Committee on Zoning and Planning

STRONGLY URGING THE DEPARTMENT OF PLANNING AND PERMITTING TO IMMEDIATELY ADDRESS OUTSTANDING VIOLATIONS RELATED TO THE PROPERTY AT 54-406 KAMEHAMEHA HIGHWAY IN HAU'ULA

January 10, 2022

Chair Elefante, Vice-Chair Kia'aina, and Members of the House Committee on Zoning and Planning:

I am writing in **strong support** of Resolution 22-6 and thank Councilmember Tsuneyoshi for introducing this resolution.

Throughout my term in office, residents notified me of several occurrences of illegal dumping activities conducted on Mr. Taufa's property and properties adjoining it. Despite State and City officials informing him to desist from all dumping activities on the properties, Mr. Taufa chose to willfully discharge large quantities of gravel, asphalt, clay, dirt, and other fill materials on his property and surrounding properties.

In March 2021, the State of Hawai'i experienced torrential downpours, which significantly flooded parts of Hau'ula and Haleiwa, two communities in my district. The flooding would have been less severe if the landscape had not been altered by Mr. Taufa's numerous illegal dumping activities, which filled parts of the existing wetlands.

I recommend imposing the maximum penalty against Mr. Taufa for his blatant disregard of State, Federal, and County regulations. I firmly believe penalizing Mr. Taufa will send a clear message to people in the State of Hawai'i that we will not tolerate the filling of wetlands without following proper protocol. I can only imagine the negative impacts Mr. Taufa's actions have had on the wetland's unique ecosystem and wildlife.

Sincerely,

A handwritten signature in black ink that reads "Sean Quinlan".

The Honorable Sean Quinlan
State Representative
House District 47 – Waiāhole to Waialua, Hawai'i

From: CLK Council Info
Sent: Wednesday, January 12, 2022 9:43 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Dorothy Kelly-Paddock
Phone
Email dotty.kellypaddock@gmail.com
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item Resolution 22-6
Your position on the matter Support
Representing Organization
Organization Hauula Community Association
To: Zoning and Planning Commission:

I am writing this testimony on behalf of the Hauula Community Association to inform you that we strongly support RESOLUTION 22-6. This Property in Hauula has is the source is of many serious concerns for our Board members and Hau'ula residents for the last two years...and continues to be in 2022.

HCA has had virtual community meetings monthly during the Covid Pandemic and complaints and outrage are expressed every month regarding Iosepa Electric's business in the Ag 2/Wetland property in Hauula. HCA Board members get frequent calls and emails about the growing solid-waste landfill in our community that is next to our Hauula Kai Shopping Center.

Written
Testimony

For the last two years the concerns have grown along with the anger over this serious travesty of justice by Iosepa Electric's operation. The concerns and frustrations are growing without seemingly any major government agency intervention. The illegal operation of several businesses there include dumping and burying tons and tons of construction waste, moving a house onto the property, running a retail business there, and now a piggery. Our community feels the community's concerns and complaints are being ignored! We also feel that justice is inequitable, in this case, this would not be happening in Kailua or Hawaii Kai...but in Hauula, Iosepa Electric seems to be able to get away with breaking laws!

During the past two years of 2020 and 2021, HCA has not only been battling the COVID 19 pandemic but we also have had to battle this illegal dump next to Hauula Shopping Center. The community has been calling, writing, sending photos and pleading with our State and City representatives to ensure us that the laws will be enforced to keep our residents and Aina healthy! We are still for some law enforcement but it has now been over 2 years of dumping illegally and we are now concerned that the government agencies responsible are doing too little to stop it! There must be stronger penalties!

Iosepa Electric and Construction Company has been in business over 20 years, mainly in Laie. They know the laws.

In 2019 Iosepa Electric purchased a 12+ acre, amazingly beautiful, untouched, agricultural land (that is also wetland) next to the Hauula Kai Shopping Center. In less than two years Iosepa Electric has totally and literally trashed it!

In plain view of the whole community, Hopate Taufa, the co-owner of Iosepa Electric and Construction Company, is continuing his roll-off business and bringing large containers and dump-trucks of waste materials from all over Oahu. There are at least about 6-8 trucks and roll-offs per day coming into this Hauula Ag/wet land and then leaving empty. This goes on six days a week from dawn to dusk. Community members have also reported and taken photos of excavators digging huge holes and burying these waste materials. The trucks that carry these large roll-off containers of waste materials onto the site frequently require the workers to stop traffic on Kamehameha Highway, the major and only highway around this side of the island, to enable the trucks to enter and depart. Very often these trucks also leave large amounts of debris on the highway.

This ag land has always been very wet and water typically ponds on this land, as in every wetland, and when the ponds over-flow they follow a ditch that flows through a residential development, under Kamehameha Highway and then to the ocean. Our community has concerns about water contamination from all the illegal waste material and possible contaminates that are dumped in this aina/wetland and then flowing to the ocean.

In late 2021, Taufa Hopate has added two new business ventures on the site. One is a retail shop selling wood carvings and the second is a pig farm. We can find no any evidence of having a permit to run any kind of business on this property. There is no evidence that he has a permit for a woodcarving shop, especially one that is within a few feet of Kam Highway with customers parking along the Kam Highway and even in the Bus Stop zone. I might add that the foul, septic smells from his piggery are not going to win many friends at Hauula Kai Shopping Center. Papa Ole's Kitchen has reported that they now have to close their doors, literally speaking, in order to keep the stench out. The whole shopping center is awash with the smell of pig feces! Not at all providing a pleasant shopping experience!

Hopate Taufa asked to meet with our HCA Board in 2020 in a virtual community meeting. In the HCA meeting he denied any wrong doing. He, in fact, stated that we should thank him for removing homeless people from the site and clearing away all the trash that had been dumped there illegally. How ironic, it seems, for him to boast about removing trash and operating a business at this same location as a solid waste land-fill! Show us the permit that DOH provided for such a business!

What we know from our State Senator on Feb. 4, 2021, Gil Rivere, is that "the owners of the property are Hopate Taufa & Annetta K.T. Taufa. The property owners have summarily disregarded the City & County of Honolulu as well as the Department of Health. To help with enforcement, a formal referral to the EPA's criminal division has been made by the Clean Water Branch."

Below are the enforcement actions taken so far by several agencies and the latest updates.

DOH – Solid Waste

- Issued Cease & Desist letter dated January 22, 2021 to the property owner.

DOH – Clean Water Branch

- Has been to the property on several different occasions
- Issued Notice of Violation
- Currently awaiting ruling from Contested Case
- Escalated case to criminal division of the EPA

EPA

- Emails sent on 1/28/2021 AND 02/01/2021
- Pending response

DPP

- Issued Notice of Violation
 - o 6/02/2020 (Building Code Violation)
 - ♣ Chapter 18, Section 18-3.1
Permit(s) Required
 - ♣ Chapter 18, Section 18-6.2 (d)
Permit fee shall be tripled for starting work without a permit.
 - o 07/09/2020 (Zoning Code Violation)
 - ♣ Chapter 21, Section 21-3.50-4, Tables 21-3, 21-3.1
Agricultural district uses and development standard
 - o 11/05/2020 (Housing Code Violation)
 - ♣ Chapter 21, Section 21-3.50-4, Tables 21-3, 21-3.1
Agricultural district uses and development standards

Please implement measures ASAP that will require this owner to cease and desist these illegal activities. There must be immediate action taken for our community now and for generations to come. Please Stop all these illegal activities!

Dotty Kelly-Paddock
Hauula Community Association

Testimony
Attachment

Accept Terms
and Agreement

1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 12, 2022 10:29 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Martha Neumamn
Phone
Email Mardilou@netzero.net
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item Resolution22-6committee
Your position on the matter Oppose
Representing Self
Organization
Written Testimony This area is for agricultural only not what is being done on it !
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 12, 2022 10:43 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Emily Pualoa
Phone
Email pupukeagoddess@hawaii.rr.com
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item 22-6
Your position on the matter Support
Representing Self
Organization
Written Testimony I am in support of the resolution!
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 12, 2022 11:31 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kaliko Amona
Phone
Email kalikoamona@gmail.com
Meeting Date 01-13-2022
Council/PH
Committee Zoning and Planning
Agenda Item Resolution 22-006
Your position on
the matter Support
Representing Self
Organization

Written Testimony I strongly concur with the dozens of other testimony submitted in support of this Resolution so far. DPP must immediately enforce zoning and environmental regulations at this site and island wide.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 12, 2022 12:59 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Janet McElheny
Phone
Email pupukeamac@gmail.com
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item Res22-006
Your position on the matter Support
Representing Self
Organization
Written Testimony I concur with the dozens of other supportive testimonies.
Testimony Attachment
Accept Terms and Agreement 1

IP: 192.168.200.67

January 11, 2022

RE: Resolution: 22-6

Aloha to those on the Zoning and Planning Committee,

I would like to submit my testimony regarding the ongoing misuse of the property at 54-406 Kamehameha Hwy, Hauula.

I am the direct neighbor across the street and **have witnessed day after day the construction yard operations** despite it's AG-2 zoning and protected wetland location.

My family has called every entity we can think of to address these illegal activities, specifically 1) grubbing and grading without a permit, 2) constructing a structure, fence, and utility pole without a permit, 3) storing metal containers without a permit, and 4) operating a base yard for construction vehicles and equipment in an AG-2 District.

Nothing has changed, the business operations and building and dumping have only increased over time.

The property owner is willfully disobeying the law and shows no remorse. There are no plans to change course when he discussed his plans and action in the local Hau'ula Association meetings. He (and an employee) came over to our street insisting that everyone leave him alone to do whatever he wants and to not get in his business.

I am in complete favor of Resolution 22-6 and vote in favor of passing.

Thank you for your time and consideration. It is very appreciated.

Becky DeMartini
54-363 Kamehameha Hwy
Hauula, HI 96717

From: CLK Council Info
Sent: Wednesday, January 12, 2022 4:43 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name John L Reppun
Phone
Email jreppun@gmail.com
Meeting Date 01-13-2022
Council/PH Zoning and Planning
Committee
Agenda Item Resolution 22-6
Your position on the matter Support
Representing Self
Organization

COMMITTEE ON ZONING AND PLANNING
Brandon J.C Elefante, Chair Esther Kia'āina, Vice Chair Radiant Cordero
Calvin K.Y. Say

Aloha Chair Elefante, Committee Members:

Written
Testimony

Mahalo for the opportunity to submit strong support for this measure. As a lifelong resident of Windward O'ahu, very involved in community issues, it is clear - & has been for the past 50 years - that critical, environmentally constrained areas such as floodplains & wetlands, riparian & coastal zones have been systematically neglected, mismanaged and, all-to-often, destroyed for lack of protection and or enforcement of laws that, at the Federal/State/County levels, should have been upheld. These areas function as protective resources for all; their value should be "common sense" to anyone growing up in these islands, knowing what inclement weather can bring & knowing how productive these lands can be with proper and proven traditional/cultural stewardship. Sadly, we have "bad actors" in play. This measure calls for DPP to take them off the stage. Lest agencies hesitate to act with strong enforcement- they (agencies) need to know that we in the directly affected communities "have their back" and that multiple layers of governance support their actions.

Please pass this measure.

Mahalo, John L. Reppun

Testimony
Attachment
Accept Terms
and Agreement

1



The Senate

STATE CAPITOL
HONOLULU, HAWAII 96813

January 12, 2022

Submitted by Email to:
guehara@honolulu.gov

Committee on Zoning and Planning
Honolulu City and County Council
Regular Meeting January 13, 2022

RE: STRONG SUPPORT FOR RESOLUTION 22-6
OUTSTANDING VIOLATIONS AT 54-406 KAMEHAMEHA HIGHWAY IN HAU'ULA

Chair Elefante and Committee Members,

Thank you for hearing this measure today and for allowing me to voice my STRONG SUPPORT. The continuous, wonton disregard of the laws by the property owner has been tremendously upsetting for the Hauula community, detrimental to the land, and disruptive to the neighbors.

With each passing day, illegal dumping further desecrates the wetlands and makes remediation all the more difficult. This willful and repeated disregard of law and order damages society. These deliberate, illegal actions demand a decisive response.

We are all counting on the Department of Planning and Permitting, as well as state and federal agencies, to intervene and halt the lawlessness at 54-406 Kamehameha Hwy and restore order.

Thank you very much for your support of this resolution.

Respectfully,

A handwritten signature in black ink that reads "Gil Riviere".

Gil Riviere
Senator, District 23
Oahu's North and Windward Shores

From: CLK Council Info
Sent: Wednesday, January 12, 2022 5:13 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Doug DeMartini
Phone
Email doudemartini@gmail.com
Meeting Date 01-13-2022
Council/PH Zoning and Planning
Committee
Agenda Item 22-6
Your position on the matter Support
Representing Self
Organization

Written Testimony

As an adjacent property owner to TMK#54004021 in Hauula, currently owned and occupied by Iosepa demolition and roll off company I have witnessed first hand the egregious destruction and pollution of this once green 12 acres of ag land. I have watched Iosepa co. Dump thousands of cubic yards (yes thousands) of asphalt, concrete fill dirt and rock, green waste and even construction demolition waste in and around the watershed on said property. I have watched as the stream on property has been altered to accommodate their heavy equipment. They have built up and aera of the the land on north side of property about 6-8 vertical feet to accommodate the same equipment. Multiple unpermitted structures have been erected including a house on stilts. None of this activity has been permitted and Honolulu DPP has been informed of all these violations and has been shown videos picture and even been to site in person and done nothing. I have spoken to the acting head of DPP personally and communicated through email and she admits there is multiple violations and they are being fined daily, but this has not stopped or even slowed illegal activities. The dumping continues. I was told by DPP head that they are being fined but there is nothing they can do if he won't pay fines and are powerless to stop him. DPP need to be held accountable and enforce its own regulations or be dissolved.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 12, 2022 6:52 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Katherine MacNeil
Phone
Email katiemacneil@hotmail.com
Meeting Date 01-13-2022
Council/PH Zoning and Planning
Committee
Agenda Item Resolution: 22-6
Your position on the matter Support
Representing Self
Organization

Written Testimony

The property has long frontage to Kamehameha Highway. The operators using the land continue to violate our laws - environmental, land use, and building codes to name but a few. This flaunting of the law is in full view of the most trafficked roadway in the CC Honolulu. The fact that this has been allowed to continue for this length of time is criminal and poses an immediate threat to the safety of all.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 12, 2022 5:48 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Susan Cortes
Phone	
Email	jblattau@gmail.com
Meeting Date	01-13-2022
Council/PH Committee	Zoning and Planning
Agenda Item	22-006
Your position on the matter	Support
Representing Organization	Self
Written Testimony	I strongly support this resolution. Please urge DPP to correct the outstanding violations at 54-406 Kamehameha Highway, Hau'ula.
Testimony Attachment	Mahalo
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 12, 2022 8:57 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Daniel DeMartini
Phone
Email dannydemartini@gmail.com
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item Resolution: 22-6
Your position on the matter Support
Representing Self
Organization

Aloha Zoning and Planning Committee,

Written
Testimony

The ongoing illegal activities and dumping at 54-406 Kamehameha Hwy, Hauula, must be stopped and remediated immediately. Our community has watched the owners of this property destroy the 'aina as they have built an unpermitted landfill in a low lying wetland that drains directly into the ocean. It is baffling to me that we have had to watch helplessly for two years as dumptruck after dumptruck has emptied their roll-off contents and buried them into the wetland (construction waste, concrete, asphalt, and all kind of rubbish). The company needs to be stopped and held accountable for the deliberate damage they have caused the environment.

Make no mistake, this land is not being used for agriculture, it is being used by Iosepa Roll-off company as a private unpermitted land-fill to avoid the expense and inconvenience of legal waste disposal.

This is a major environmental issue and it is shameful that the State of Hawaii has let it go on for so long.

Sincerely,

Dr. Daniel DeMartini

Testimony
Attachment

Accept Terms
and Agreement

1

From: CLK Council Info
Sent: Wednesday, January 12, 2022 9:24 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Kaitlin DeMartini
Phone
Email kaitydemartini@gmail.com
Meeting Date 01-13-2022
Council/PH Zoning and Planning
Committee
Agenda Item Resolution 22-6
Your position on the matter Support
Representing Self
Organization

Aloha to those on the Zoning and Planning Committee,

I would like to submit my testimony regarding the ongoing misuse of the property at 54-406 Kamehameha Hwy, Hauula.

I would like to testify to these illegal activities, specifically 1) grubbing and grading without a permit, 2) constructing a structure, fence, and utility pole without a permit, 3) storing metal containers without a permit, and 4) operating a base yard for construction vehicles and equipment in an AG-2 District.

Written
Testimony

Even though fines have been issued, nothing has changed, the business operations and building and dumping have only increased over time.

The property owner is willfully disobeying the law and shows no remorse. There are no plans to change course.

I am in complete favor of Resolution 22-6 and vote in favor of passing.

Thank you for your time and consideration. It is very appreciated.

Testimony
Attachment
Accept Terms
and Agreement

1

From: CLK Council Info
Sent: Wednesday, January 12, 2022 9:28 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Mona Curry
Phone
Email mona_curry@yahoo.com
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item 4 Reso 22-6
Your position on the matter Support
Representing Self
Organization

Why does a hearing have to take place to push a Department towards stronger enforcement?
There is no question here. This must stop.

We all have a responsibility to be caretakers of the land. I find it hard to believe that this type of activity is being allowed to continue.

Someone is able to contaminate their property and use the land as a dump site. Clearly the fines are not a strong enough deterrent. Leadership is requested here. If fines are not enough then the next step should be taken.

In addition to not taking care of the land, will his actions of dumping construction material and probably toxic chemicals and pesticides, lead to potentially fatal problems like skin cancer and respiratory ailments for residents in the area?

If the land is not a serious enough consideration then are the people? Do they count enough for stronger action?

Thank you.

Testimony
Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Thursday, January 13, 2022 6:47 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name	Rexann Dubiel Shanahan
Phone	
Email	dubielsdesign@hotmail.com
Meeting Date	01-13-2022
Council/PH Committee	Zoning and Planning
Agenda Item	Res. 22-06
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	Do your job. This is an illegal operation. Stop it with legislation.
Testimony Attachment	
Accept Terms and Agreement	1

IP: 192.168.200.67

From: CLK Council Info
Sent: Thursday, January 13, 2022 6:30 AM
Subject: Zoning and Planning Testimony

Written Testimony

Name Lynell Marie DaMate
Phone
Email Lynelld808@gmail.com
Meeting Date 01-13-2022
Council/PH Zoning and Planning
Committee
Agenda Item Property in Hauula
Your position on the matter Support
Representing Organization
Organization Ko'olau Waialua Alliance

Written
Testimony

I am a local senior resident born and raised in Kahuku. Over the last few decades, I have observed and noted that the common thread that runs through the countless number of complaints and concerns by residents here on Oahu is that this particular government agency is ineffective in enforcing their own rules and guidelines. This property and its owner, Pate, is a prime example of blatant disregard for DPP's rules, the environment and the majority of area residents concerns. A clear demonstration of the ineffectiveness of this agency.

Testimony
Attachment

Accept Terms
and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Wednesday, January 12, 2022 10:08 PM
Subject: Zoning and Planning Testimony

Written Testimony

Name Marvin
Phone
Email mhesketts@me.com
Meeting Date 01-13-2022
Council/PH Committee Zoning and Planning
Agenda Item Resolution 22-6
Your position on the matter Support
Representing Organization
Organization Surfrider Foundation Oahu

Written Testimony The Surfrider Foundation is dedicated to the protection and enjoyment of the world's ocean, waves and beaches, for all people, through a powerful activist network. The Surfrider Foundation Oahu Chapter believes that environmental and land use laws are critical to our community and that they should be meaningfully enforced. It is clear that personnel at 54-406 Kamehameha Hwy in Hau'ula continue to commence in activities which ignore the current State of Hawaii and Clean Water Act violations and continue to willingly pollute the nearshore environment. The Surfrider Foundation firmly supports RES22-006.

Testimony Attachment

Accept Terms and Agreement 1

IP: 192.168.200.67

From: CLK Council Info
Sent: Thursday, January 13, 2022 8:19 AM
Subject: Council Testimony

Written Testimony

Name	Colleen Spring
Phone	
Email	Colleenspring@gmail.com
Meeting Date	01-13-2022
Council/PH Committee	Council
Agenda Item	22-6
Your position on the matter	Support
Representing	Self
Organization	
Written Testimony	
Testimony Attachment	
Accept Terms and Agreement 1	

IP: 192.168.200.67

From: CLK Council Info
Sent: Thursday, January 13, 2022 11:56 AM
Subject: Council Testimony

Written Testimony

Name Susan Hassett

Phone

Email bzzroost@gmail.com

Meeting Date 10-13-2022

Council/PH
Committee Council

Agenda Item IOSEPA LAND USE RESOLUTION 22-6

Your position on
the matter Support

Representing
Organization Self

Written
Testimony This fenced land area is storing rock, gravel, dirt, along with other construction building products. Earth/ dirt has been pushed around, blocking natural run-off, which greatly continued in flooding several homes during the heavy March rains 2021. Iosepa needs a better plan, one that respects the Aina and ohana. Neighbors are now against neighbors which hurts the spirit of each...

Testimony
Attachment

Accept Terms and
Agreement 1

IP: 192.168.200.67