

On Wednesday, March 8, 1972 I went to the office of the U. S. Agric. Soil Conservation Serv. and asked Mr. Hess to show me a copy of the public hearing notice on the flood control plan. He showed me a copy of a letter dated 1/27/69 to property owners and residents of the Kahalu'u watershed, signed by Joe C. Harper, Chairman Kahalu'u Flood Control Committee; also two photographs of signs regarding the meeting which had been posted on trees. There was no copy of a public hearing notice to show me at that time. Since then I have seen a copy of an informal public meeting to be held at the Kahalu'u Elementary School. It was a xeroxed copy on which had been typed: "Sent to: UPI, AP, 5 TV Stations & 6 Radio Stations". I told Mr. Hess that this could not be considered a bonafide public hearing notice and asked if I could see a copy of the Environmental Statement on the project.

With the help of Mr. Whiting, the statement was finally located. It was a "draft" copy and Mr. Whiting said the statement had been sent to Washington about 8 or 9 months ago. I was left to read the statement and copied some of it (it was 11 pages long) until I began to realize that it had been taken almost verbatim from the watershed work plan itself. Attached is a copy of what I copied. Also I read and copied a letter attached to the statement (included here).

Approximately a week later, I went to the S.C.S. and talked at some length with Mr. Lum. He told me that the North Waihe'e area and the park around the proposed pond would not be funded by the federal government. We talked about various aspects of the flood control project and when I told him of my concern for the Hawaiians who live on their Kuleana lands in the area and of the low-income people living in the valley who would be forced to leave because of the escalation in land values if the flood control project is developed. Mr. Lum assured me that the government was prepared to compensate the Hawaiians and that other places would be found for them, I told him that these people did not want to be relocated---that the land had been handed down to them from their Hawaiian chiefs and that their families had lived there for generations; also that even if they wanted to move, suitable land such as they now have could not be found and that the government could not begin to compensate them for what they have now, monetarily, culturally or environmentally. I was not able to make Mr. Lum understand, apparently. He said a new E.S. will be written and I asked him to see that the people in the area have the opportunity to participate in this statement.

Under the PL 91-190 all written and verbal questions are supposed to be answered and the questions and answers included in the E.S. I went away feeling that Mr. Lum not only did not understand my concerns but that he felt it was not very important that public hearings be held and citizen in-put be received on the E.S. This may be because that office has had little or no experience regarding impact statements and had not been well briefed by Washington.

After talking to Mr. Lum, I called Mr. Ramon Durand, Deputy Director C. & C. Parks and Recreation to ask about the changes in the flood plan. He did not know about them but said he would check on this. Also, I called Mr. Gryde of the Windward Soil Conservation Service and he did not know of the changes either. Though he was stationed in Hilo at the time the plans were being prepared and reviewed, he assured me that all concerned had been involved in the planning procedures. When I talked to Dr. Miura (who lives in Kahalu'u) of the Office of Environmental Quality Control and later with Dr. Marland of the same office, neither of them knew of the changes,

nor did they know an E.S. had been sent to Washington.

Mr. Gryde said that he felt the state would pay for the North Waihe'e portion of the plan and that either the state or the city would pick up the tab for the park. However, Mr. Durand said that thought the city would pay the cost of the park he felt that the North Waihe'e area would not be funded, or at least not for a long time. Mr. Durand suggested that a informational meeting would be a good place to start with a public hearing later.

I have been interested in the flood program since February 5, 1969 when an informatinnal meeting was held at Castle Highschool. In May 1969 Hui Ko'olau was formed and its first priority was the flood plan. A temporary community association committee met on June 13 and the first membership meeting was held on Jun 27, 1969. My husband and I became charter members and when the November 24th Hui Ko'olau bulletin came out listing a dozen committees that had been established and asking for volunteers, I noticed there was no committee to cover ecology in sofar as pollution is concerned. I volunteered several times to either set up such a committee or to work on pollution problems with one of the committees but received no encouragement.

I asked for and received a copy of the Watershed Work Plan and after studying it found that the inconsistencies in it bothered me, and when attending a Hui Ko'olau meeting in January I asked if everyone present had had an opportunity to study the plan. The reaction from some of the people at the meeting was quite unexpected. Though I had lived in Hawaii for 18 years I was treated to the usual derogatory remarks about "haoles". I assumed that if the majority of the people in the valley wanted the flood control program as it was planned, I should not try to persuade them to take a closer look at it. (I was not aware until more than two years later that not ALL the residents in the area were pleased with the plan and that though some of those opposed were Hawaiians, they had gotten the same reaction I had.)

On March 12, 1970 I had a long conversation with Mr. Lum of the Soil Conservation Service and some of the questions I asked and the answers are attached, also copies of some correspondence I had with members of Congress. Sometime during the summer of 1970 an informational meeting regarding the proposed Keapuka Flood Dam was held at Castle Highschool and it was my impression at that time that this project had priority over the Kahalu'o flood control. Keapuka was to be funded through the U. S. Army Corps of Engineers. Numerous articles have appeared in the newspapers over a period of the last 15 months about the progress of the Keapuka flood dam sponsored by Senators Fong and Inouye. Then, with no previous publicity an article appeared stating that the Kahalu'u plan had come out of the House Agricultural sub-committee and was approved. In early March another article appeared stateng that the Senate Agricultural Committee had approved the project almost two years ago and that approval by the full House Committee was expected. The House sub-committee had approved on February 28 and the bill was steered through by Rep. Matsunaga. It was approved by the full House Committee on March 10 in a bill "to provide for environmental improvement in rural America" tacked on to flood protection, water quality management, land utilization and industrial water supply Federal funds program "in this particular case". The original law (for the funds) was under land rights for reconstruction of public recreation. It was sponsored in the House by Rep. Robert R. Poage and Senator Eugene Talmage in the Senate. Other sponsors were added about four times (the Congressinnal Register does not list the other sponsors.)

Some of the inconsistencies I find regarding this flood program are as follows:

1. According to the Kalama, Sept. 1970, plans were being made for the Kahalu'u Flood program as far back as 1965---four years before Hui Ko'olau was formed. The draft of the E.S. states that the Windward Oahu Soil and Water Conservation District has 26 cooperators at the watershed and that the cooperators, including the Dept. of Land and Natural Resources, comprise 58% of the total water shed area. It also states: "The plans require full cooperation of the land owners which is sometimes a little difficult to obtain." On checking the tax key books, it becomes obvious that the owners of large areas of land are the Magoon family, Hiram Fong and family, Sing Chong Ltd., Ocean View Cemetary and Market, Kaneohe Development Corp., and on the waterfront (including the tidal flats), Hawaiian Land Co.-Alexander and Baldwin. I would like to know who the "26 cooperators" are.
2. In answer to a question of Mr. Whiting on the number of homes actually affected by floods, I was told 22 to 25 plus two souvenir shops and a couple of small businesses. The E.S. states that 100 residences are affected and the Watershed plan says 89 residences and 35 farms. Much emphasis is placed on the loss of life due to floods. There is no record of loss of life except for one man who left his home to rescue a cow, fell into a ditch and was apparently swept out into the bay.
3. In June 1970 Rep. Matsunaga was informed that the House Agriculture Subcommittee on Conservation and Credit had not given favorable consideration to the Kahalu'u flood control plan because it is primarily non-agricultural. The sub-committee believed that the developers of residential lots would benefit most from the project and that the project is too big (more than the total cost of the five projects the sub-committee approved on June 3 (1970)). In this regard the sub-committee considered a cost figure of \$2 million as being reasonable for watershed projects.
4. Though the stated goals of Hui Ko'olau are, in part: "a predominance of single story dwellings and commercial buildings in the area; preservation of the fish ponds; keep industrial development to a minimum and located away from main thoroughfares; unobstructed vistas of the bay from the highway and preserving and maintaining a Polynesian theme and atmosphere throughout the area", most of the land on both sides of the highway, the fishpond and Wailau Point are zoned resort, industrial or commercial. Unless this land can be downgraded, which seems unlikely in view of past decisions, the land designations and the aims of Hui Ko'olau do not seem compatible. There are a number of small plots of Kuleana lands in the flood control area that would be wiped out under the present plans and the only Polynesian atmosphere would be artificial and geared toward tourism.
5. Most of the holdings of large land owners would be left intact and the flood plan (lagoon, park, sewage treatment plant, new roads, etc.) would obviously cause a rise in value of these lands and all adjacent lands. Value of the land has now risen to \$1.10 a sq. ft. and if it goes any higher, low income families cannot qualify for low cost housing.
6. When Hui Ko'olau was formed, it had no constitution and neighborhood representatives were appointed---not elected. A constitution has been written (though not yet voted on) but though there were objections from some of the members, the neighborhood representatives under this constitution are still appointed.

7. The Watershed Work Plan states on pg. 33 that total land rights cost is estimated at \$1,961,180. However, on pg. A-2 the cost of reimbursing land owners (for about 50 acres) is listed as \$954,020 which figures out at about \$19,085 per acre (or about .44¢ per sq. ft. in an area where the land values, due in part to nearby resort and commercial zoned land, are now at \$1.10 per sq. ft. or \$48,000 an acre. The balance of the \$1,961,180 would go for the cost of relocation of two houses (\$10,000), "all other improvements", legal fees, survey costs, flowage easements and other.

8. The E.S. statement says the Kahalu'u fishpond was severely damaged in the 1965 flood with the loss of a \$100,000 crop of commercial fish and has since stood idle. The Watershed Plan says the fishpond was damaged in the 1965 flood and the area is no being planned for resort use. Yet, the pond was resort zoned in 1964. The pond was and is a spawning ground for bait fish, but the fish were not being commercially raised in 1965. The fish come and go with the tide. The owners have and are still trying to fill in the pond. They have had fill dumped into it without permission and only the alertness of nearby residents has, so far, helped to protect it. The owners wish to build a yacht harbor, a shopping center, a hotel and a jetty.

There are so many other inconsistencies that they are too numerous to list here, but I would like to point out that though a letter from Mr. Fred Haughton of the Soil Conservation Service states that the flood project predates PL 91-190, the letter of May 12, 1972 from the U. S. Dept. of Agriculture makes it quite clear that the project does fall under the NEPA of Jan. 1, 1970. The Watershed Work Plan was signed by the Chairman and Secretary of the Windward Oahu Soil and Water Conservation District on June 23, 1969 and by the Mayor and City Clerk of Honolulu on July 15 and July 16, 1969, respectively, it was not signed by the Soil Conservation Service.

The problem here as I see it in view of the past history of the area, if that the flood control plan is part of a land development scheme that will cost the taxpayers at least \$6 million dollars. Much emphasis is placed on protection of the bay from silting, which is a worthwhile and necessary thing. However, the Hawaiians say they had no silting problems to speak of, nor such severe flooding in the past because they kept the streams cleaned and cleared and used a system of diking. It is obvious to anyone who has lived in Kahalu'u that in the past seven years the silting has increased tremendously because of the lack of control over the land use practices of the developers. Nothing is being done to stop this-- in fact, it grows worse month by month. We must question our value system when we allow massive development of housing for upper middle class people that is destroying the beauty of the land and killing the bay---the filling in of estuaries (which are so important to the ecological chain as are the reefs and swamps since they are the most important links in the food chain) and at the same time are pushing the indigenous residents and the poor out and paying taxes on massive public works projects that benefit the already super-rich.