

FAX COVER SHEET

To: Hawaii County Planning Department

From: Jim Medeiros

Date: 11-22-00

pages including this page: 2

2000 NOV 22 PM 2 34

PLANNING DEPARTMENT
COUNTY OF HAWAII

Following is a letter addressed to the Planning Commission. Please forward a c.c. to Planning Director Virginia Goldstein, as noted at the bottom of the letter. Thank you

011716

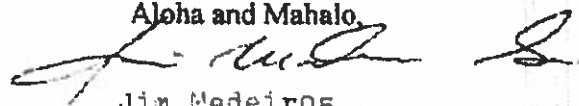
Nov 21, 2000

Aloha Hawaii Island Planning Commission,

I Jim Medeiros SR, humbly request on behalf on my Ohana that no approval be given to C.M.I. Development INC, on the grounds that this developer did not notify us the lineal descendants of the ahupuwa'a of Kauloli. They have made no efforts to locate us to acknowledge us as descendants I have been trying to make contact with them but was always misled by there surveyors whom I saw doing work on said property. I presented myself and who I am, in relation to said property, but could not get any names of the new owners. My ohana is living descendants of the ahupuwa'a and we have been practicing our cultural and religious rights for generations, we collect medicines from this ahupuwa'a, we use woods such as Hau for our canoe's. We use this ahupuwa'a for much of our practices, I also know of special burials, burial caves, underground water sources, and other significant archeological sites that can only be properly cared for by descendants. Further more there will be no removal of bones from its original resting places within this ahupuwa'a. If needed we will take direct action against and desecration of bones, sites, burials, my self and my ohana knows the ahupuwa'a and we know where these sites are. Myself and a witness have watched bulldozer operator, Warren Matsumoto operate bulldozer on weekends clearing roads and land with out monitors to protect archeology. Commissioners we need to protect Hawaiian culture, insensitive developers will try anything even try to by pass decedents. This ahupua'a is in a very sacred place adjoining Pu'uhonua O' Honaunau, and has hundreds of burials and sites used by ancient hawaiians. The land of kauloli is virgin and pristine land that have never been dozed or touched by machinery, except for several jeep roads. Ancient shelters and sites located everywhere all the way from ocean to way in the uplands. It would be a great injustice to allow any further work without the developer contacting us the descendants and create a burial treatment plan and plans to protect all ancient sites on this virgin land.

Supreme court rulings that protect us is,
Kohanaiki Decision 1995 (Coastal Zone Management Act)
HRS 205A, (Article XII, Section 7)
Native Hawaiians have legal standing to raise issues relating to subsistence, cultural and religious practices.
HRS Section 7-1
Chapter 205 HRS Land Use Laws
McBryde V. Robinson 1973
Zimring 1977
Kalipi V. Hawaiian Trust Co. 1982
Pele Defense Fund V. Paty 1992
c.c.
Virginia Goldstein (planning director)
Protect Keopuka Ohana
Keep Kealakekua Wild
Office of Hawaiian Affairs
Kahea: The Hawaiian Enviromental Alliance
Ahupua'a Action Alliance
Steve Kornberg, esq Atty at Law

Aloha and Mahalo



Jim Medeiros
P.O. Box 166
Honaunau, Hawaii
96726

SUB 2000-158

2000 NOV 22 PM 2 38

PLANNING DEPARTMENT
COUNTY OF HAWAII

November 22, 2000

Virginia Goldstein
Planning Director
Planning Department
25 Aupuni St., Rm 109
Hilo, HI 96720

Dear Ms. Goldstein,

This letter is to address the property in Honaunau being considered for development by CMI Development, Inc.

This property TMK# (3) 8-5-05: 19, 20, 22, 26, 27, 30 is located directly above our historic Place of Refuge which is culturally sacred to all Hawaiians and respected throughout the world.

I am outraged to hear that a subdivision permit is being considered for approval by your office. I am most definitely opposed to the approval of this proposed subdivision, as it would be in violation of the county's General Plan. I hereby request that you or your office does not approve such a request until there has been further investigation as to the letter and intentions of that Plan.

This letter is intended to be placed on record as it represents my strong convictions as a local resident of Honaunau and a citizen of Hawaii.

Mahalo for your consideration in this matter, and for your upholding your responsibilities to the people of this area and to the aina... before that of the private interests of developers who have no such consideration.

Sincerely,

Stephen Landers
P. O. Box 172
Honaunau, HI 96726
e-mail: isaiah1@kona.net

011717

Sub 2000-158

2000 NOV 22 PM 2 39
PLANNING DEPARTMENT
COUNTY OF HAWAII

November 22, 2000

Virginia Goldstein
Planning Director
Planning Department
25 Aupuni St., Rm 109
Hilo, HI 96720

Dear Ms. Goldstein,

This letter is to address the property in Honaunau being considered for development by Honaunau Development, Inc.

This property TMK# (3) 8-5-05: 19, 20, 22, 26, 27, 30 is located directly above the Honaunau Heiau which is culturally sacred to all Hawaiians and respected throughout the world.

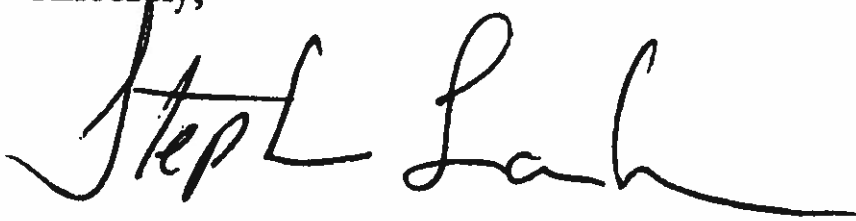
I am outraged to hear that a subdivision permit is being considered for approval. I am definitely opposed to the approval of this proposed subdivision, as it would be inconsistent with the Honaunau Heiau General Plan. I hereby request that you or your office does not approve such a subdivision without further investigation as to the letter and intentions of that Plan.

This letter is intended to be placed on record as it represents my strong concern for the Honaunau Heiau and a citizen of Hawaii.

This letter is intended to be placed on record as it represents my strong concern for Honaunau and a citizen of Hawaii.

Mahalo for your consideration in this matter, and for your upholding your responsibilities in this area and to the aina.... before that of the private interests of developers who

Sincerely,

A handwritten signature in black ink, appearing to read "Step L Landers". The signature is fluid and cursive, with a long horizontal stroke at the end.

Stephen Landers

P. O. Box 172

Honaunau, HI 96726

e-mail: isaiah1@kona.net

Sub 2000-158



ZAC'S BUSINESS CENTER
75-5629 KUAKINI HWY, STE. R
KAILUA-KONA, HI 96740
TEL: (808) 329-0006 • FAX: (808) 329-1021

To: VIRGINIA GOLDSTEIN, PLANNING DIR., COUNTY OF HAWAII

Phone: _____ Fax: 961-8742

From: _____

Phone: _____ Fax: _____

Date: _____ Time: _____

No. of pages (including cover): 3

Message:

2000 NOV 22 PM 2 43
PLANNING DEPARTMENT
COUNTY OF HAWAII

RE: DELAY PERMIT FOR TMK #(3) E-5-05:

19, 20, 22, 26, 27, 30

ABOVE SACRED PLACE OF REFUGE

November 22, 2000

Virginia Goldstein
Planning Director
Planning Department
25 Aupuni St., Rm 109
Hilo, HI 96720

Dear Ms. Goldstein,

This letter is to address the property in Honaunau being considered for development by CMI Development, Inc.

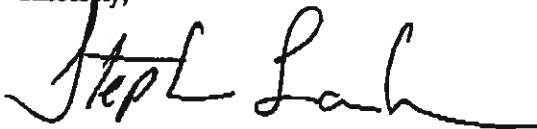
This property TMK# (3) 8-5-05: 19, 20, 22, 26, 27, 30 is located directly above our historic Place of Refuge which is culturally sacred to all Hawaiians and respected throughout the world.

I am outraged to bear that a subdivision permit is being considered for approval by your office. I am most definitely opposed to the approval of this proposed subdivision, as it would be in violation of the county's General Plan. I hereby request that you or your office does not approve such a request until there has been further investigation as to the letter and intentions of that Plan.

This letter is intended to be placed on record as it represents my strong convictions as a local resident of Honaunau and a citizen of Hawaii.

Mahalo for your consideration in this matter, and for your upholding your responsibilities to the people of this area and to the aina... before that of the private interests of developers who have no such consideration.

Sincerely,



Stephen Landers
P. O. Box 172
Honaunau, HI 96726
e-mail: isaiah1@kona.net

Tuesday, November 21, 2000

Virginia Goldstein
Planning Director
Planning Department
25 Aupuni St., Rm 109
Hilo, HI 96720

Dear Ms. Goldstein,

I am writing about property in Honaunau being considered for development by CMI Development, Inc.

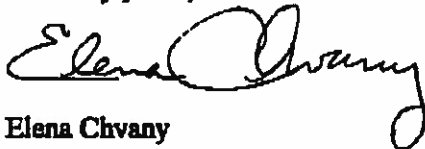
The property is TMK# (3) 8-5-05: 19, 20, 22, 26, 27, 30, located just above the historic City of Refuge, one of the sites most sacred and significant sites to Hawaii, and internationally honored.

I strongly feel that to grant subdivision permit and approval would be in violation of the county's General Plan, and I request that you withhold such approval until further study of the letter and intentions of that Plan.

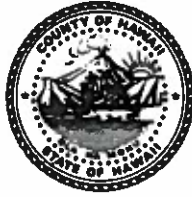
I intend for this letter to go on record as representing my strongly-held views as a resident of Honaunau and citizen of Hawaii.

Thank you for your consideration, and for your stewardship of Hawaii's lands.

Sincerely yours,



Elena Chvany
P.O. Box 172
Honaunau, HI 96726



HAWAI'I COUNTY COUNCIL

County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

2000 NOV 21 PM 3 48
PLANNING DEPARTMENT
COUNTY OF HAWAII

November 17, 2000

MEMORANDUM

To: Virginia Goldstein, Director
Planning Department

From: Julie Jacobson, Member
Hawai'i County Council

Subject: Proposed Ki'ilae Subdivision

Please accept this memorandum as testimony in your deliberations of the proposed Ki'ilae subdivision located on the McCandless Ranch land next to Pu'u honua O Honaunau National Historic Park.

This area is located within Council District Six which I represent. Input to me from constituents has been uniformly against this project. Public interest will not be served by this subdivision because:

1. Considerable traffic impact will result. This part of the Mamalahoa highway is already overburdened with vehicles. Gridlock surely will result with this additional project;
2. This project will substantially increase the property values in an area of low to moderate income families living and working in a traditionally rural, agricultural setting. Soon, current dwellers will not be able to afford their own land and residences; and
3. The City of Refuge and other sites of cultural and historical significance are in close proximity to this proposed project. Additionally, there are ancient Hawaiian graves and ceremonial sites in and near the historic village of Ki'ilae.

This project should not be encouraged or permitted for these and other sound reasons.

Mahalo for your time and consideration.

011645

Gretchen C. Kelly
P.O. Box 146
Captain Cook, HI 96704

2000 NOV 22 PM 2 31

22 November 2000

PLANNING DEPARTMENT
COUNTY OF HAWAII

Planning Commission, County of Hawaii
25 Aupuni St
Hilo, HI 96720

fax (808) 961-8742

Dear Ms. Goldstein,

I am writing in reference to the subdivision permit application of CMI Development, Inc., for a property in Honaunau, South Kona, TMK (3) 8-5-05:19,20,22,26,27,30. I understand that you have tentatively decided to approve this application.

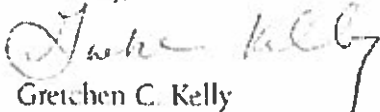
As a resident and recreational user of the pristine Class AA waters fronting this project, I ask that you defer this permit for a number of reasons. First, to approve this subdivision would be a violation of the County General Plan.

Second, the recent Supreme Court decision in the Kaupulehu decision made it clear that all permitting agencies, including the County of Hawaii, must take into account how any development may affect both traditional Hawaiian cultural practitioners and recreational users before allowing that development to go forward. No such assessments have been made in the case of this proposed subdivision, and therefore it would be in violation of State law for this permit to be issued.

Third, the recent change of status of the Ala Kahakai affects this proposed subdivision. The designation of the Ala Kahakai as a National Historic Trail necessitates that any proposed development through which the trail runs must complete the EIS process, to federal rather than state standards. No EIS process has yet commenced for this development proposal.

Thank you for allowing me the opportunity to comment on this development proposal.

Sincerely,


Gretchen C. Kelly

cc. Virginia Goldstein, Planning Director

011669