

From: [cindy Freitas](#)
To: [LPCtestimony](#)
Subject: Meeting on Dec. 19, 2024 Kona Development LLC
Date: Wednesday, December 4, 2024 12:01:17 PM
Attachments: [Kona Development LLC OPPOSITION Dec 5, 2024.docx](#)

Dec 19, 2024 meeting...Agenda #1 in OPPOSITION

December 4, 2024

Cindy Freitas
makainanqi@gmail.com

Leeward Planning Department
December 19, 2024
At 1:00pm
LPCtestimony@hawaiicounty.gov

Item: # 1... KONA HAWAI'I DEVELOPMENT LLC (PL-SMA-2023-000038)

He Mele komo a he mele aloha no na kupuna o ke au i hala Aloha mai kakou.

Aloha,

My name is Cindy Freitas and I'm a Native Hawaiian descended of the native inhabitants of Hawai'i prior to 1778 and born and raised in Hawai'i.

I am also a practitioner who still practice the cultural traditional customary practices that was instill in me by my grandparents at a young age from mauka (MOUNTAIN TO SEA) to makai in many areas.

I'm in OPPOSITION for the following reasons:

Other major developments – 100-room hotel and related improvements using a partially completed foundation structure on a 1.76-acre parcel situated in the Special Management

- Testimony has been given regarding ongoing water shortages, and drought.
- These parcel are in HECO's power shut-off wildfire area.
- Lack of concurrency required by the KCDP, putting additional strains on infrastructure, including the "Kona crawl."
- Impact on the Kealahou Wastewater Treatment Plant, which is already violating the Clean Water Act by dumping effluent into nearshore marine waters.
- The supportive testimony heard was almost exclusively given by those who already have or who will make money off this application.

The Constitution of the State of Hawai'i clearly states the duty of the State and its agencies is to preserve, protect, and prevent interference with the traditional and customary rights of native Hawaiians. **Article XII, Section 7 requires the State to “protect all rights, customarily and traditionally exercised for subsistence, cultural and religious purposes and possessed by *ahupua'a* tenants who are descendants of native Hawaiians who inhabited the Hawaiian Islands prior to 1778”** (2000). In spite of the establishment of the foreign concept of private ownership and western-style government, Kamehameha III (Kauikeaouli) preserved the peoples traditional right to subsistence. As a result in 1850, the Hawaiian Government

confirmed the traditional access rights to native Hawaiian *ahupua'a* tenants to gather specific natural resources for customary uses from undeveloped private property and waterways under the Hawaiian Revised Statutes (HRS) 7-1. In 1992, the State of Hawai'i Supreme Court,

reaffirmed HRS 7-1 and expanded it to include, “native Hawaiian rights...may extend beyond the *ahupua'a* in which a native Hawaiian resides where such rights have been customarily and traditionally exercised in this manner” (Pele Defense Fund v. Paty, 73 Haw.578, 1992).

Act 50, enacted by the Legislature of the State of Hawaii (2000) with House Bill 2895, relating to Environmental Impact Statements, proposes that:

...there is a need to clarify that the preparation of environmental assessments or environmental impact statement should identify and address effects on Hawaii's culture, and traditional and customary rights...[H.B. NO. 2895]

Act 16, enacted by the Legislature of the State of Hawaii (2020) with S.B. No. 2060

Section 3; (2) Historic resources;

(A) Protect, preserve, and where desirable, restore those natural and manmade historic and prehistoric resources in the coastal zone management area that are significant in Hawaiian and American history and culture.

HRS 711-1107 Desecration

(b) A place of worship or burial

(2) “Desecrate” means defacing, damaging, polluting, or otherwise physically mistreating in a way that defendant knows will outrage the sensibilities of persons likely to observe or discover the defendant's action.

Therefor Applicant in all due respect should not build a 100 ROOM HOTEL and destroy what is still beautiful.

Mahalo,

_____/s/_____
Cindy Freitas

From: [Rich Howarth](#)
To: [WPCtestimony](#); [Roy, Alex](#)
Cc: [Staci McDaniel](#); sidneyfluke@gmail.com
Subject: Kona Hotel, Kona Hawaii Development permit, TMK 7-5-018: 011 (PL-SMA-2023-000038)
Date: Friday, December 6, 2024 10:18:05 AM

Hello,

We recently received your letter on the proposed hotel.

My wife and I own a condo at Hale Kona Kai , 75-5870 Kahaki Road, which is across Kahakai Road from the proposed hotel. We have no issues with building a hotel on that lot but do have questions on the plans. The renderings you recently sent out are not accurate and do not show the most important part of the project - how cars will enter and exit. It appears on the renderings that the parking entrance will be at the back of the hotel on Kahakai Road. We don't see how this is possible.

- Kahakai Road is a single lane road with no sidewalks and significant pedestrian traffic. Unless that road is widened to two lanes with sidewalks you are going to create a very dangerous situation for pedestrians and a traffic mess. This road is already dangerous because it is a single lane with high pedestrian traffic.

- The point where you show the parking entrance is a small house that is a realtor office. This would prevent you from widening the road on the Hotel side. The west side can't be widened since that is the parking lot for Hale Kona Kai. Will that small house be removed as part of this project?

Can you please clarify the plans for Kahakai Road?

Thank You,
Rich Howarth & Staci McDaniel

From: [James Sogi](#)
To: [LPCtestimony](#)
Subject: OPPOSE Kona Hawaii Development, LLC (PL-SMA-2023-000038)
Date: Monday, December 9, 2024 3:15:04 PM

I am 3d generation Hawaii native. I use Kahaluu daily to swim and surf.

I OPPOSE Kona Hawaii Development, LLC (PL-SMA-2023-000038). They need to reapply not change expired permit. We don't need more development, tourists. Kahaluu has enough pressure. We have enough jobs and cant fill open jobs. We dont need it, dont want it.

James Sogi
Mamalahoa Hwy
Holualoa Ho

From: [Rebecca Melendez](#)
To: [LPCtestimony](#)
Subject: Oppose KONA HAWAII DEVELOPMENT, LLC (PL-SMA-2023-000038)
Date: Monday, December 9, 2024 2:45:05 PM

These comments didn't copy in my last email and I wanted to make sure you got them.

Rebecca Melendez

Help Big Island Resources and Infrastructure Stay Safe For ALL Who Live Here and Visit



Lily

4 months ago

Hawaii island's infrastructure has already been overwhelmed by tourism, at the expense of local families being able to function and survive. We don't need or want more tourism development.

0

Report



ben

4 months ago

Kona has been my home since I was born, and I refuse to see it be destroyed so one person (or school, in this instance) can make a little more money when they have so much land available to them at their fingertips. Keep our waters, animals, and our aina protected. We can't afford for this development to come to fruition, lest we lose even more of ourselves and culture. I'm so tired and hurt at all the desecration that Hawai'i has had to endure.

0

Report



Marcy

6 months ago

There is too much exploitation of precious land and resources

1

Report



Sherilyn

9 months ago

Big Island needs healing and restoration so the people can live off of our own recourses. We must make sure our future generations will be cared for. We the people of this lands should not have to change our ways or lifestyle to accommodate others from the outside. Don't change us to your ways of liking to live. Don't like how we live then don't move here. Leasing our lands for \$1 a year?! Can the people move in on your land for \$1 a year without any permission?! We don't need no more improvements for infrastructure. Send everyone back to where they come from. Including ones with claims of being "LOCAL". Give all the STOLEN lands back to the people/descendants of their origin. Ones whom have KOKO or lineage are the true STEWARDS. Ocean and mountain access are limited due to outsiders buying stolen lands and making their own rules. By doing this they are stopping KANAKA as we rely on recourses to feed our OHANA. Construction is causing too much DESTRUCTION to our lands that provides Kanaka food and water. Too much taking from the people of the lands. ENOUGH with the DESECRATION and DESTRUCTION of our lands from MAUKA to MAKAI. It's far beyond PILAU...This is abundance of HEWA!!!

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1

Report



Ryan

9 months ago

There are too many reasons to list why I feeling strongly about immediately pumping the brakes on development island wide. It's irresponsible to continue what is happening.

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From: [Rebecca Melendez](#)
To: [LPCtestimony](#)
Subject: Oppose APPLICANT: KONA HAWAII DEVELOPMENT, LLC (PL-SMA-2023-000038)
Date: Monday, December 9, 2024 2:36:27 PM

Please OPPOSE Kona Hawaii Development LLC because the Big Island doesn't have the resources for more hotels.

You OPPOSED Kona Vista III LLC for this exact reason: the island does NOT have the resources and infrastructure for all of these new developments.

You helped the island by stopping a huge development, Kona Vista III LLC, and I thank you. The problems the island is having have NOT changed in a few weeks, and many new developments have already been approved for years to come. The island's resources can NOT handle even more developments, and even more big developments have their application signs up, even when we are currently having power outages, traffic problems, land waste issues, sewage issues, and...

Please oppose this development and all future big developments because the island's resources can not handle more developments, especially when many years of future developments have already been approved.

Please, keep our community and visitors safe by sincerely looking at how Big Island is handling all the future power it will need to generate when it does not generate enough power today, the traffic problems that have more accidents than ever now, the continuing increase in landfill when the island needs another landfill, the sewage issues that are causing more portable toilets to have to be placed where sewage issues are being constantly worked on and...

I stand with 531 signatures opposing future developments because the island doesn't have the resources.

Please hear the 531 voices in my email, see this petition and please read the comments a few people wrote below <https://www.change.org/p/help-big-island-resources-and-infrastructure-stay-safe-for-all-who-live-here-and-visit>

Thank you,
Sincerely,
Rebecca Melendez

Help Big Island Resources and Infrastructure Stay Safe For ALL Who Live Here and Visit



Lily

4 months ago

Hawaii island's infrastructure has already been overwhelmed by

tourism, at the expense of local families being able to function and survive. We don't need or want more tourism development.

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Report



ben

4 months ago

Kona has been my home since I was born, and I refuse to see it be destroyed so one person (or school, in this instance) can make a little more money when they have so much land available to them at their fingertips. Keep our waters, animals, and our aina protected. We can't afford for this development to come to fruition, lest we lose even more of ourselves and culture. I'm so tired and hurt at all the desecration that Hawai'i has had to endure.

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Report



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9 months ago

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From: [Rebecca Melendez](#)
To: [LPCtestimony](#)
Subject: 1 of 303 Oppose KONA HAWAII DEVELOPMENT, LLC (PL-SMA-2023-000038)
Date: Monday, December 9, 2024 2:47:39 PM
Attachments: [Screenshot \(183\).png](#)
[Screenshot \(182\).png](#)
[Screenshot \(185\).png](#)
[Screenshot \(184\).png](#)

Here are screen shots of people's opposing more big developments comments because they didn't come out clear in the last 2 emails I sent.

Thank you,
Rebecca Melendez

← Supporter voices

Help Big Island Resources and Infrastructure Stay Safe For ALL Who Live Here and Visit



Lily

4 months ago

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← Supporter voices

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♡ 1

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♡ 0

Company

- About
- Impact
- Careers
- Team

Community

- Blog
- Press
- Community Guidelines

Support

- Help
- Privacy
- Terms
- Cookie Policy

Connect

- Twitter
- Facebook
- Instagram

Guides

- How To Write A Petition
- Do Petitions Work
- What is the Right To Petition
- How to Start a School Petition

From: [Bob Douglas](#)
To: [LPCtestimony](#)
Subject: OPPOSE Kona Hawaii Development, LLC (PL-SMA-2023-000038)
Date: Wednesday, December 11, 2024 8:59:15 AM

Aloha,

I OPPOSE Kona Hawaii Development, LLC (PL-SMA-2023-000038) for many reasons.

Need it be said, rising oceans pose a credible risk and as tax payers we would assume an unfair burden should this hotel experience damage and or erosion.

In general I oppose any construction along Ali'i Drive and elsewhere that's within a mile of the ocean that doesn't have a pump out waste system specified in the permit. Cesspools are not the answer. Further I'd require all other commercial developments including BNBs to convert to pump out and if already on septic. It's not an expensive proposition.

Ali'i Drive needs more public access as well as open views to the ocean. A moratorium on new developments should be enacted restricting development to the mauka side of the road. Restore the views, they belong to the public. This would also alleviate sea level rise issues.

Mahalo,

Bob Douglas
danhieux18@icloud.com
[Instagram.com/danhieux](https://www.instagram.com/danhieux)
808 333-0402