



Mālama i Ka Honua

Cherish the Earth

A Quarterly Journal of the SIERRA CLUB OF HAWAII

JULY-SEPTEMBER
2013

Planting Native



'A'ali'i: A dense shrub with various cultural uses

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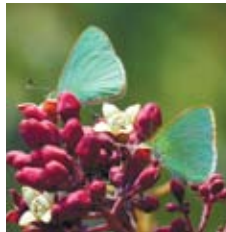
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Caren Diamond, watchdog of Kaua'i beaches

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2013 Legislative Session: *Green Bill Recap*

Each legislative session has its own personality or theme. I'd compare this session to a first date: full of hope, full of fear, and spending a great deal of time trying to figure out how to get a second date. With new leadership in both the House and Senate, political advocates had to relearn the rules of the game. Controversial topics that were previously nonstarters, such as GMO labeling and emergency contraception, moved through committees. Other measures that had support in the past, such as funding for Hawai'i's clean energy office, ran into trouble and died.

On the whole, environmental issues fared better in the House than in previous years. In fact, almost no "bad" House bill moved to a third reading. The Senate, on the other hand, moved a number

of bad measures that focused on eliminating public participation in the development process.

Looking at the Sierra Club's top priorities this year, we had two big successes and one disappointment. The first success, SB 1087, removed

lower monthly utility bills, also known as "pay as you save."

Hawai'i's clean-energy financing bill proposes no additional costs to ratepayers, it allows residents to save money, it creates good jobs, and it reduces air pollution. It lowers the

On the whole, environmental issues fared better in the House than in previous years. In fact, almost no "bad" House bill moved to a third reading.

a primary barrier to the adoption of clean energy: the upfront cost. It allows hundreds of millions of dollars of private capital and low-cost bonds to be accessed each year for residential and small commercial clean-energy projects. Residents will be able to pay for installations over time through

cost of home ownership, helps lower-income people who might not be able to get bank loans, and opens up clean energy and energy-efficiency opportunities to renters, who make up 40 percent of Hawai'i's housing market. What's not to get excited about?

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FROM THE DIRECTOR'S DESK

Building a Movement

The environmental message over the past few years has seemingly focused on “hold the line.” Hold the line against lazy government officials who want to get rid of environmental protections so they can get around laws that protect our clean water, air, and land. Hold the line against mainland companies that propose to pave over prime agricultural land without addressing hard questions about greater traffic gridlock, less food production, and increased carbon emissions. Hold the line against the utilities that claim they support renewable energy, but pursue policies that continue our addiction to fossil fuels.

But the pendulum might be swinging. As described in our legislative report, several major pieces of environmental legislation passed this year. For example, we successfully repealed the Public Land Development Corporation (PLDC)—one of the governor’s top priorities just a year or so ago—and passed a major piece of legislation that will make solar available to a much larger pool of people.

How did these bills get passed? There is no simple answer, but I’d suggest that aggressive, grassroots engagement is a major factor. In trying to repeal the PLDC, a number of individuals led an aggressive effort to ensure their message was heard. If the governor scheduled a political fundraiser, people showed up holding signs protesting his actions.

How did these bills get passed? There is no simple answer, but I’d suggest that aggressive, grassroots engagement is a major factor.

We—along with AiKea and Local 5—organized door-knocking efforts that actually engaged people to discuss the problems with PLDC. The Sierra Club PAC

sent out district-wide mailers so people knew their legislator’s record on the PLDC. People spoke—sometimes loudly—and were heard by our elected officials.

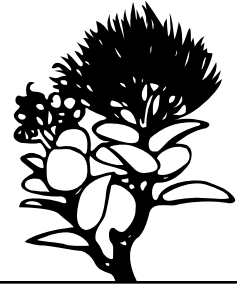
So what lessons did we learn? I believe a takeaway is that real change requires broad engagement towards a common goal. We need people actively talking about our issues. What are we doing about advancing clean energy and creating a modern, smart grid? How are we increasing the amount of food we grow? How are we protecting Hawai’i’s critically imperiled environment from the impacts of climate change?

We also need to engage partners. Climate change, for example, doesn’t just affect environmentalists. Everyone has a stake in decisions that affect the future of Hawai’i. That being said, we can’t expect partners to support our issues unless we’re also willing to demonstrate that we support their concerns.

Your Sierra Club of Hawai’i leadership is committed to broader grassroots engagement. Despite being a volunteer organization, we haven’t always been the best at finding ways for people to be involved. Over the next several months, we plan to commit time and resources to better engaging people in campaigns focused on the Sierra Club’s goals of moving away from our addiction to fossil fuels and advancing clean energy. The long-term focus is to build a stronger movement that advances a more sustainable Hawai’i, and one that can take on bigger and bigger fights.

I hope you will be a part of this effort. We—literally—can’t do it without you. If you have input or suggestions, please feel free to contact me at robert.harris@sierraclub.org

Happy Trails — Robert



MĀLAMA I KA HONU
Cherish the Earth

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Green Bill Recap

Continued from page 1

Another success almost needs no discussion. Unless you've been under a rock, you've probably heard that the legislature passed, and the governor signed, a measure to repeal the Public Lands Development Corporation. Almost universally criticized, the PLDC would have allowed private development on public land, theoretically to obtain additional revenue for the state. An impressive coalition of grassroots volunteers and organizations worked tirelessly to ensure that legislators heard and knew that this measure went too far.

But no legislative session is perfect. A measure that reasonably lowered the solar tax credit in a sensible way (SB 623) died at the last minute. The key issue revolved around the budget impact. The Council of Revenue and the Department of Taxation ("DoTax") estimated a very high cost to Hawai'i's existing solar tax credit law, stating it would cost around \$174 million in fiscal year 2014. The Department of Business and Economic Development & Tourism (DBEDT) estimated our bill (SB 623) would cost around \$107 million, thus indicating there was plenty of money in the budget for it to pass. In contrast, DoTax submitted testimony indicating that SB 623 would cost the state an

additional \$36 million in 2014. The finance chairs asked DoTax to confirm DBEDT's calculations. DoTax refused. Without consensus, SB 623 died. The failure of two agencies to communicate clearly and early in the legislative process effectively killed efforts to pass a sensible policy that would have advanced clean energy and lowered the budgetary impact over time.

In totality, while only a few "bad" bills passed this year, there weren't as many "good" bills that passed either. While the pendulum might be swinging towards better environmental consideration, it is apparent we still have a long way to go.

—Robert Harris

Notable Bills that Passed the Legislature

CLEAN ENERGY

- ✓ **SB 19** exempts landlords who install renewable energy systems from the onerous requirements imposed on public utilities and serves as an incentive for landlords to adopt renewable energy systems.
- ✓ **SB 120** authorizes the Public Utility Commission (PUC) to establish a policy to incentivize Hawai'i's electric utility companies to make needed reforms to lower electricity rates.
- ✓ **SB 1087** provides a lower-cost financing alternative for Hawai'i businesses and residents to utilize green infrastructure equipment and technology to reduce electricity consumption by leveraging clean energy technology. The innovative financing method created in this measure will provide a secure financing structure to allow the Department of Business, Economic Development, and Tourism (DBEDT) to issue revenue bonds at very competitive rates and pass these savings on to the consumers in the form of lower borrowing costs.
- ✓ **SB 1040** requires the PUC to consider implementing an advanced grid technology in order to improve the reliability and operational efficiency of our electrical system.

COASTAL ACCESS

- ✓ **HB 17** requires adjoining properties to maintain vegetation running laterally along the coastline to ensure that residents have continued access to our public beaches. Overgrown plants, sometimes intentionally allowed to overgrow the shoreline and beach access, can deter the reasonable use of our public beaches and trails.

OPALA REDUCTION

- ✓ **SB 899** restores the exemption from a central service fee for the HI-5 program, so as to ensure that the Department of Health has the funding necessary to continue this successful program.
- ✓ **SB 1133** closes a loophole in the HI-5 program that exempted products that labeled themselves as dietary supplements. Some common items—like bottled lemonade—used this exemption to get around Hawai'i's popular recycling program.

ENVIRONMENTAL PROTECTION, PUBLIC PARTICIPATION

- ✓ **HB 1133** repealed the Public Lands Development Corporation. What more needs to be said?
- ✗ **SB 1171** allows development projects to be approved without first considering their impact on historic sites. It adds to the level of cost and frustration when iwi are discovered after a project has started, thus requiring expensive project adjustments. It will mean more burial relocations, instead of being able to adjust the project so as to leave iwi in place.
- ✗ **SB 1207** exempts the Department of Transportation, Harbors Division, from the permit and site plan approvals required within the conservation district for submerged lands.



FROM THE CHAPTER CHAIR

By Roberta Brashear-Kaulfers

The 2013 legislative session is over, summer vacation is here, and it is time to get outdoors and enjoy the season. I recently attended the first Chapter Chairs' Assembly in San Francisco. This was an excellent opportunity to brainstorm with other chapter leaders and share our best practices and concerns. The informative sessions covered such diverse topics as building chapter capacity, fundraising, having effective chapter executive committees, and an in-depth discussion of Sierra Club's National Conservation goals and strategies for our three priorities: Beyond Coal/Clean Energy, Beyond Oil, and our newest campaign, Our Wild America.

Hawai'i Chapter has decided to add a Beyond Coal/Clean Energy staffer; this added support will assist us in promoting future clean energy initiatives. Our Wild America campaign will focus on protecting our wilderness areas and pristine habitats and maintaining our clean water ecosystems.

Throughout 2014, the Sierra Club will be celebrating the fiftieth anniversary of the Wilderness Act. This ongoing celebration will provide our members with some new and

interesting outings, and I encourage our outing leaders to plan to explore some new areas or revisit other hikes that have not been done in many years. I have committed to increase my participation in the Moku Loa Group outings, and encourage many of you to get back out and explore these wild places with us. If you have any special areas you would like the outing leaders to include on future schedules, please let us know. Make your commitment to enjoy our beautiful Hawai'i and contact your Group outing chairs with your suggestions. These leaders are Judy Dalton (Kaua'i Group), Sarah Moon and Diane Ware (Moku Loa Group), Miranda Camp (Maui Group), and Randy Ching (O'ahu Group). Their contact information may be found in the Chapter directory at the end of this newsletter.

I applaud the efforts of the Capitol Watch Team, and especially Robert Harris, who has kept us up to date with all the happenings at the 2013 Hawai'i State Legislature. One major victory this year was the Repeal of the PLDC (Public Lands Development Corporation).

As summer begins, I send this invitation to our members to come and take a hike. If you love outings and want to lead others, we are always looking for new outings leaders. Contact us and reconnect with the outdoors. Explore the special places of our islands and help protect them for future generations. Mahalo.

Aloha, Roberta



Planting Native

by Rick Barboza

'A'ali'i

Dodonaea viscosa

Indigenous: All Hawai'i except Kahō'olawe

Description: A dense shrub (4-8 feet) with small green leaves and tiny flowers that develop into star-shaped papery seed capsules. These plants are mostly dioecious, meaning that they're usually separate male- and female-flowered plants; rarely they can be hermaphroditic, having both flower types on the same plant. However, the seed capsules that everyone loves for lei making and plant color come only from the female flowers. These seed capsules vary in color from cream to yellow, green, pink, all the way to deep dark maroon-red.

Distribution: 'A'ali'i is an indigenous plant with a range that starts in the dry coastal lowland areas, where it was once the most dominant shrub, and up into the wetter mesic forests, on all the main islands except for Kahō'olawe (where it most likely occurred in the past and currently is being outplanted there), and then dominant again in the upper dry forest and subalpine dry forests of Maui and Hawai'i.

Cultural Uses: The seed capsules are highly valued for used in lei weaving, and the red capsules are used for making a red dye.

The beautiful wood of 'a'ali'i is very hard and is used for making small hand tools and weapons.

Landscape Uses and Care: This plant does best in full sun with well-drained soil and minimal watering. Once planted and there are signs of new growth, water can be cut back to once or

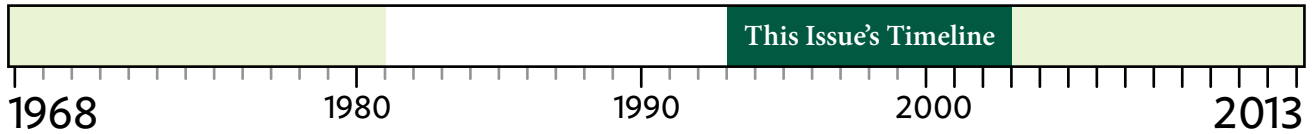


twice every week. It looks great as an accent plant around large boulders, as specimen plants, or even as a hedge; it is also very wind and drought resistant. We use this plant quite often in our restoration work, especially on slopes

and stream banks. The 'a'ali'i have pretty deep tap roots that act like structural pillars for slope support; a plus is that they're tough plants that need practically no care once in the ground.

Extra Information: In Hawai'i there are many varieties of this plant, but all are classified as the same indigenous species. And yet on every island, in every climate zone or elevation zone the plants look different in some slight way from each other. Clearly more work needs to be done on the classification of this species. Other names for this plant include: 'a'ali'i ku makani, 'a'ali'i ku ma kua, or kumakani.

Sierra Club Hawai'i Historical Timeline



As the Chapter celebrates our 45th year we are turning our attention to some of the many good works volunteers have accomplished through the decades and putting together a historical timeline. On these pages is the third installment, showing our activities from 1993-2002, a decade of tremendous activism with the hiring of the first Chapter Director and other staff to protect what David Kimo Frankel called an “assault” on the environment. We consider this a draft, to which we welcome your input. After the fourth installment, in the October issue, we will put the compilation up on the Chapter website and continue to add actions, campaigns, and victories, as well as challenges that persist. Please send any comments, corrections, photos, and stories to Mālama editor Phyllis Frus, phyllisfrus@sierraclubhawaii.com. Special thanks to Annette Kaohelauli'i and Randy Ching for contributing to this segment of the timeline.

1993

- The Honolulu Group changes its name to the O'ahu Group
- Maui Group and other Maui environmentalists battle a proposed golf course in Hana that would irrevocably alter one of the “last Hawaiian places.” It was proposed by a corporation that bought the Hana Hotel and surrounding land. The County required an EIS and by the time it was completed, the County Council realized that the company was in such financial trouble that permission was denied.
- Sierra Club counters oil industry attempts to limit liability for oil spills by proposing a \$1 per barrel tax to fund oil spill prevention and cleanup. Legislation passes to tax oil at a nickel a barrel to fund spill prevention and cleanup, used-oil recycling programs, and underground storage tank cleanup.



*In the end we will
conserve only what we
love. We will love only
what we understand.
We will understand only
what we are taught.*

—Baba Dioum, Senegalese
Environmentalist (1968)

1994

- In February the West Hawai'i Group begins a humpback whale sighting project, working with more than 70 high school students from four high schools and adult volunteers to count whales and record their behavior. This educational project begins five years before the National Marine Sanctuary starts its whale count on the Big

Island. (The first sanctuary count was conducted in 1996 on O'ahu; in 1999, the Big Island was added. Kaua'i began participating in 2000 and Kaho'olawe in 2002.)

- The Sierra Club and other petitioners call for commercial air sightseeing tour overflight of the national parks in Hawai'i to be prohibited and requests a two-mile buffer zone around the

perimeter of the parkland. Sierra Club members are urged to write letters to the FAA during the public comment period to urge this ban by citing such factors as the sacredness to native Hawaiians of a myriad of sites within the parks, the numerous endangered species of birds whose feeding and breeding habits are disrupted by engine noise, and the reputation of Haleakala as one of the quietest places on earth.

- In amending the conservation district law the legislature makes it clear that citizens can sue private parties who violate the law, thereby improving the ability of the Sierra Club and its allies to protect natural resources.

1995

- Landowners and developers work out a deal with the city that would allow them to develop 12 parcels in the Hawai'i Kai-to-Makapu'u area. The scheme is eventually dropped after opposition from community groups including the Sierra Club.
- The state releases a draft EIS and Master Plan for the proposed Ka Iwi State Park.
- The Board of Land and Natural Resources rules that the public's access to the Wiliwilinui Trail—the

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Timeline

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shortest route to the top of the Koʻolau ridge—cannot be restricted by the homeowners association at Waialae Iki 5. Sierra Club and three other trail-user groups built support for the ruling with 6 months of public meetings, petitions, letters, and support-building. The principle: state and city statutes afford the public access to the mountains much as it assures access to the beach—both of which are publicly owned.

- *Miconia calvenscens* sightings on various hikes on Oʻahu lead to half-day service hikes by the Sierra Club to eradicate this noxious plant.
- Dave Raney, Pacific Basin representative on the Sierra Club National Marine Committee, reports on Chapter participation in the U.S. State Department's Coral Reef Initiative (CRI), which grew out of

the work plan developed at the Rio Earth Summit of 1992, with the goal of slowing the deterioration of coral reefs and their habitats and preserving the biological diversity of coral ecosystems. Chapter members have participated in Project Reef Keeper workshops, Coastweeks activities, and implementation of state water-quality improvement projects. Contacts for each Group are in place and CRI workshops are planned for each island.

1996

- Ka Iwi Action Council and Sierra Club work to stop the construction of 335 luxury houses on the last undeveloped ridges overlooking Sandy Beach and the construction of a golf course and huge clubhouse at Queen's Beach.
- On the day in May that the world's largest telescope is dedicated at Mauna Kea, the *Honolulu Advertiser* prints an editorial lauding the Sierra Club and Native Hawaiian organizations



for raising environmental and cultural concerns that are not being taken seriously by the astronomy industry.

- David Frankel becomes the first director of the Sierra Club of Hawai'i.
- The degraded condition of the land between Camp Erdman and Ka'ena Point on O'ahu's north shore due to heavy motorized vehicle use of the area draws the attention of O'ahu Group outings leaders, who lead a trash and auto junk pickup on Make a Difference Day. This marks the beginning of years of regular Sierra Club service projects to Ka'ena State Park to help restore the eroded,

David Kimo Frankel, Chapter Director 1996-1998



With the hiring of David Frankel as its first Director in 1996 the Sierra Club of Hawai'i became a significant force for the environment: at the legislature, in the courts, and in the media. Although Frankel resigned to become a full-time dad at the end of 1998, his activism didn't end, as he was immediately elected to the Chapter Executive Committee and worked on many issues as Chapter Chair from 1999 to 2001.

Frankel got his start with the Sierra Club as a volunteer in the early 1990s while attending law school and then earning a master's degree in urban and regional planning, both at UH. He managed to get a grant from the national club and raise enough funds to serve as the Sierra Club's lobbyist for the legislative

session in 1994. Since 2006 Frankel has been a staff attorney for the Native Hawaiian Legal Corporation.

Asked what his proudest achievements are as Director, Frankel says, "During my tenure a significantly greater percentage of the budget was devoted to advocacy than ever before. We significantly raised the profile of the Sierra Club and trained many leaders in the ins and outs of how government works."

The campaigns fought by the Sierra Club in conjunction with its environmental allies while Frankel was Director and Chapter Chair fill this segment of the historical timeline. They include reforming the conservation district law, saving the beach and surf spot at Mauna Lani from a proposed artificial lagoon, persuading the state to acquire Queen's Beach for inclusion in Ka Iwi State Park, and stopping a huge subdivision proposed for above Kelakekua Bay. Other campaigns are Mālama Kahakai: Keep it Wild! and protecting Ma'alaea surf spot on Maui.

Frankel regards failing to stop the automatic approval law from going into effect as his greatest failure. He says, "At least we stopped efforts to weaken the land use commission, but I still regret passage of this law." He also points to his lack of success in advocating for a bottle bill; he came to believe it was a futile quest, "but Jeff Mikulina proved me dead wrong."

denuded land and allow several rare and endangered native plants to recover. By removing alien species and outplanting natives, the volunteers encourage habitat growth for nesting seabirds, monk seals, and other native coastal species. The Ka'ena Point Community Advisory Committee begins meeting at the behest of the DLNR, which administers the state park and the 59-acre Ka'ena Point Natural Area Reserve at the Point. By the late 1990s vehicles are barred to allow wildlife to recover.

1997

- H-3 on O'ahu opens nearly four decades after it was first conceived as a way to connect Kaneohe with military bases on the other side of the island during the Cold War.
- One of the best legislative sessions in years results in many measures supported by the Sierra Club, including an extension of the solar tax credit, provision for a dedicated source of funding for the Na Ala Hele program for trail work, and an increase in the penalty for violations of the state clean-water and hazardous-waste laws.
- Chapter Executive Committee member Theresa McHugh spearheads the successful effort to obtain \$14 million in bonds to purchase Queen's Beach, which Governor Cayetano calls a priority acquisition to preserve the Ka Iwi Coastline. Working with the Ka Iwi Action Council and Sierra Club activists, McHugh launches a radio ad blitz and organizes a press conference in the waning days of the Legislature.
- The Chapter establishes an e-mail environmental alert database.
- The Maui Group leads the charge on rallying community opposition to plans to dynamite four acres of healthy coral reef and threaten a world-renowned surf break in order to expand Maui's Ma'alaea harbor. The Chapter is awarded a national Sierra Club Environmental Public Education campaign (EPEC) grant to take on

the Army Corps of Engineers. A supplemental EIS is issued in 1998 and over 400 people testify at the hearing. A petition against expansion with over 10,000 signatures is presented to Governor Cayetano. The issue is finally resolved in 2012, when the Corps of Engineers abandons the project as unfeasible.

1998

- The Economic Revitalization Task Force calls for the elimination of the Land Use Commission (LUC) and the automatic approval of all permits not processed in a timely manner.
- Maui Group joins other community groups in a lawsuit to stop the state/federal Kahului airport expansion plan. The suit contests the governor's premature acceptance of an EIS. The groups are motivated to sue not only



Kahului Airport is still the same size thanks to Sierra Club Maui Group.

by the threat to prime agricultural land that the expansion would entail, but also by the danger to native ecosystems that would result from an increase in introduced alien species.

- Sierra Club sends a representative to the University of Hawai'i's newly formed Mauna Kea Advisory Committee, charged to advise the

UH president on plans for more telescopes and more development of the Mauna Kea Science Reserve. The environmental groups on the committee want the university to improve its record of poor management and begin to protect the natural resources within the reserve.

1999

- Jeff Mikulina begins a 10-year term as Director of the Hawai'i Chapter.
- Scenic vistas at Kumukumu Beach on Kaua'i, more popularly known as Donkey Beach, are preserved and the beach is saved from the blight of development when the Sierra Club threatens a lawsuit, bringing the developer to the negotiating table. The agreement includes increased setbacks of all the houses along Donkey Beach from 30 to 75 feet from the bluffline for a single-story house and from 50 feet to over 100 feet for two-story houses.
- Brian Schatz, appointed to the U.S. Senate in 2013 by Governor Abercrombie, writes a piece for *Mālama I Ka Honua* on how to fix the legislative system to improve environmentalists' influence on legislators. His recommendation: public financing of political campaigns. Schatz is a State House Representative at the time. He served on the Chapter Executive Committee for several years in the 1990s.

2000

- Sierra Club of Hawai'i files a lawsuit asking that an Environmental Impact Statement be done before the state spends \$114 million on a marketing plan to increase tourism by a million people a year.
- After almost 14 years of public protests, lawsuits, and hearings, Maui Group and a coalition of environmental and community groups prevail as the state drops plans to expand Kahului airport. The people

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What are the costs of increasing tourism?



The Chapter's 2000 lawsuit against the Hawai'i Tourism Authority, asking that the agency do an Environmental Impact Statement before spending \$114 million over three years to increase the number of visitors (already 7 million per year), had the straightforward goal of getting the Hawai'i Tourism Authority to be accountable for the effects of its mass tourism plan. It stirred up impassioned response, including from tourism officials and the national press. The Sierra Club believed that the law requiring an EIS for any government spending on a "program or project" should apply to tourism. Chapter Chair David Frankel was quoted in a nationally syndicated column as saying, "Shouldn't we know the impact on the water, the beaches, the trails?" But the suit was ridiculed by tourism officials and others. "It was as if we attacked motherhood and apple pie," said Frankel.

In 2002 the state supreme court ruled against requiring an EIS, but the lawsuit led to a healthy discussion of the limits of tourism and to a legislative appropriation to study carrying capacity. It also led to a committee, the Natural Resources Advisory Group (NRAG), that reviews applications for projects that help mitigate or repair damage to natural resources caused by tourists. The legislature approves approximately \$1 million of funding each year for these projects. In addition, the legislature has authorized \$1 million of funding for Hawai'i's trails and parks system. The Sierra Club Director sits on the NRAG.

Timeline

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came together to fight what was effectively a massive urbanization project that would have destroyed a wildlife sanctuary, paved over prime ag land, and brought even more alien species to disrupt native ecosystems. A plan to internationalize Kaua'i's Lihue airport is also canceled after a shorter but similarly determined resistance.

- Before leaving office President Clinton establishes the Northwestern Hawaiian Islands Coral Reefs Ecosystem Reserve, the largest protected area ever created in the U.S. His Executive Order protects the remote and pristine coral reefs in all their biodiversity; in all, they make up 70 percent of the nation's coral reefs.

2001

- The Chapter stops a development above Kealahou Bay on the Big Island.
- A lawsuit brought by the Sierra Club leads the Fish and Wildlife Service to begin proposing designated critical habitats for 245 endangered plant species in the Hawaiian Islands.
- The Sierra Club helps to obtain \$1.8 million in a congressional appropriation for U.S. Fish and Wildlife Service to purchase land at the James Campbell National Wildlife Refuge on O'ahu's north shore to serve



The battle to keep Koa Ridge from being taken by urban sprawl continues over a decade later.

NASA agrees to follow federal law by conducting an environmental review of the Keck Outrigger Telescopes Project at Mauna Kea. This is the first time any of the federally funded projects on Mauna Kea have complied with U.S. statutes.

as wetland habitat for four endangered Hawaiian waterbirds: the Hawaiian black-necked stilt, Hawaiian coot, common moorhen, and koloa duck.

- NASA agrees to follow federal law by conducting an environmental review of the Keck Outrigger Telescopes Project at Mauna Kea that follows standards required by the National Environmental Policy Act and the consultation requirements and other provisions of the National Historic Preservation Act. This is the first time any of the federally funded projects on Mauna Kea have complied with U.S. statutes.
- Monsanto is stopped from testing genetically modified soy in fields on O'ahu. The Chapter calls for a moratorium on all testing and release of genetically engineered seeds and plants.

Development above Kealakekua Bay Is Stopped

When in 2000 Lyle Anderson and Pacific Star proposed building 125 luxury homes, a private lodge, and a golf course on 660 acres of designated farmland above Kealakekua Bay by calling the subdivision “agricultural,” the claim meant the project needed only county approval, avoiding scrutiny by the state Land Use Commission. Realizing that the developer-friendly county would rubber-stamp the plan, Hawai‘i Chapter chair David Frankel asked the Commission to issue a declaratory ruling that the proposed project was not permitted on agricultural land, and thus needed a land category change from agricultural to urban. (The project did not ask that the land be reclassified; it pretended to be an ag subdivision.) Frankel noted that the 30 or so acres that could still support crops would hardly make the million-dollar mansions “farm dwellings.” Besides, soil would have to be imported for both the housing lots and the golf course, since the land is mostly lava. The “farms” would also have limited public access to the coast and ancient trails, while desecrating Native Hawaiian burial sites and dozens of archaeological sites. After six hours of testimony, the commission agreed with Sierra Club, ruling unanimously that the development was in fact urban.

—Adapted from the January-February 2001 issue of the *Sierra Club Bulletin*



Photo courtesy of Deborah L. Chang

- The race for urban sprawl on O‘ahu continues apace with Castle and Cooke’s proposal to build 7,500 houses along Koa Ridge near Mililani, which would add to urban sprawl already approved at Waiawa by Gentry, Mililani Mauka, and Royal Kunia. The development depends on getting the Land Use Commission to reclassify 1,250 acres of agricultural lands. The Sierra Club is one of the intervenors in the commission’s proceeding and continues to fight the development for more than a decade. The immediate issues are traffic, adequacy of schools to handle the growth, water, and cost of infrastructure, but the overall basis of opposition continues to be the state’s obligation to preserve agricultural land for food sustainability and the quality of life for everyone on O‘ahu if Koa Ridge is built.

2002

- The Club celebrates culmination of its campaign for passage of the HI-5 bottle bill, which makes Hawai‘i the eleventh



*The 2002 passage of
the HI-5 bottle bill
means more of these get
recycled... yay!*

state to establish a beverage container deposit system. The “bottle bill” passed the 2002 legislature and was signed into law by Governor Ben Cayetano. It went into effect January 2005.

- The battle to protest the Northwestern Hawaiian Islands continues with “scoping meetings” scheduled on all islands during April as the first step in exploring the creation of a NWHI national marine sanctuary.
- More than 1,000 *miconia calvescens* seedlings are pulled in a joint Sierra Club/Hawai‘i Trail and Mountain Club assault on the detested invasive species in Mānoa Valley on one day in May.
- Noted wildlife photographer and longtime Big Island resident Jack Jeffrey receives the Sierra Club’s Ansel Adams Award. The award honors an individual who has made superlative use of still photography to further a conservation cause. Jeffrey was nominated by the Hawai‘i Chapter, which had given him its Conservationist of the Year award previously. ■

Nate's Adventures

Koa Butterflies on 'Iliahi Flowers



by Nate Yuen

I hiked along the rim of Makua Valley, where I saw dozens of koa butterflies sipping the nectar of 'iliahi flowers.

I attended the Hawaiian Trail and Mountain Club's three-day Mokule'ia campout where backpackers hike the Kuaokoala Trail, Mokule'ia Access Road, and the rim of Makua Valley to get to the hunter's shelter in the Mokule'ia Forest Reserve. The three-day campout provides

a good opportunity to look for and photograph rare native plants and animals.

On O'ahu some of the best remaining examples of native mesic and dry forests can be found in Pahole Natural Area Reserve in the Mokule'ia Forest Reserve. One of my favorite things to do is to visit a native sandalwood tree with unusually large, droopy leaves and a trunk 18 inches in diameter—large by O'ahu standards.

This species of 'iliahi or sandalwood tree (*Santalum freycinetianum*) is not endangered but is by no means common. Endemic to Hawai'i, it is found in drier climates in the Kō'olau and Wai'ānae Mountains. This particular 'iliahi tree is unique for its size and

girth. I have not seen many 'iliahi trees larger than this on O'ahu.

The tree was covered with hundreds of clusters of small pinkish-red buds. The buds in each cluster are timed to open only a handful at a time, so the tree provides a stable source of nectar for months at a time. The buds open into four-petaled flowers a quarter-inch in diameter that are irresistible to koa butterflies, *Udara blackburni*.

Known as Hawaiian blues or Blackburn's butterfly, this is one of only two species of butterflies endemic to Hawai'i. The koa butterfly is about three-quarters of an inch long with the upper sides of its wings blue-gray and its undersides turquoise-green. This duality



This species of 'iliahi or sandalwood tree is not endangered but is by no means common.

The body of the koa butterfly is covered with a thick coat of blue-colored hairs. Scales covering the surface of the wings look like rows of overlapping shingles on a roof.



gives the butterfly a different appearance depending on which side you see.

The life cycle of koa butterflies is tied to koa trees (*Acacia koa*). Adults lay eggs on koa trees and their caterpillars feed on koa leaves.

Koa butterflies love 'iliahi flowers. When they first land, their proboscis is curled up like a coil. The proboscis—which the butterfly uses as a straw—is unrolled and inserted into the flower so the butterfly can sip the nectar at the bottom.

Koa butterflies love 'iliahi flowers. The proboscis—which the butterfly uses as a straw—is unrolled and inserted into the flower so the butterfly can sip the nectar at the bottom.

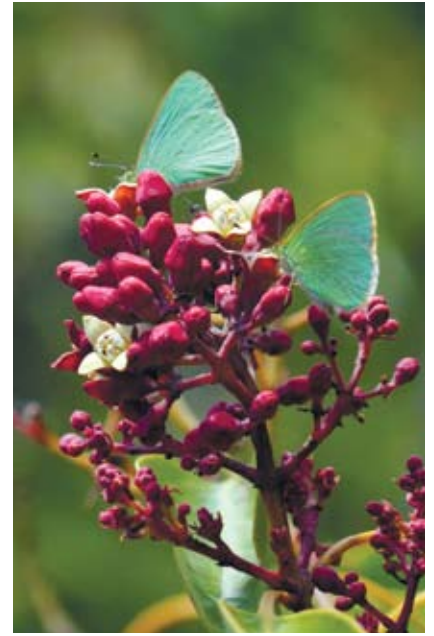
The body of the butterfly is covered with a thick coat of blue-colored hairs. Scales covering the surface of the wings look like rows of overlapping shingles on a roof.

The 'iliahi trees and koa butterflies were so amazing to photograph that time passed quickly. Soon it was time for me to move on and visit other, even more rare, native plants and animals, such as rare and endangered kahuli—O'ahu tree snails—in the Mokule'ia Forest Reserve.

To read more about the koa butterfly and 'iliahi flowers, visit my blog at: hawaiianforest.com/koa-butterflies-on-iliahi-flowers



The proboscis is unrolled and inserted into the flower to sip the nectar at the bottom.



Adults lay eggs on koa trees and their caterpillars feed on koa leaves.



The koa butterfly is about three-quarters of an inch long with the upper sides of its wings blue-gray and its undersides turquoise-green.

Nathan Yuen is an artist/photographer/naturalist whose body of work is a confluence of hiking, conservation, and fine art photography. Each weekend you can find him hiking, backpacking, or kayaking to out-of-the-way locations to photograph Hawai'i's native plants and animals, many of which are rare or endangered. His goal is to showcase these biological treasures to give you a reason to protect them for future generations. Nathan has a website at HawaiianForest.com where you can see his art and read about his adventures.



O'ahu Group Report

Stop Suburban Sprawl

Our top priority remains changing O'ahu's development pattern. This means fighting both *against* bad development and *for* good development.



Fighting Against Bad Development

In the first category we are still battling the Ho'opili and Koa Ridge developments that would spill 17,000 homes and more than a million square feet of commercial space over the two most productive food farms in the state. Our legal appeal of the shameful decision by the Land Use Commission to permit these farms to be reclassified as urban was denied in the court of first instance, but we intend to pursue the appeal all the way to the Hawai'i Supreme Court.

We are also preparing a campaign to raise awareness, galvanize public action, and put pressure on our elected representatives. This campaign will cost money, so we have started to build a war chest. To help us raise those funds we have received an extremely generous challenge grant: every dollar we raise will be matched dollar for dollar up to \$5,000.

Fighting for Good Development

The flip side of the coin is to press the powers-that-be to implement the policies that lead to good development. Mayor Kirk Caldwell has agreed to meet monthly with our Executive Committee and with his senior staff to work on an agenda of smart growth. In addition to our Ho'opili and Koa Ridge efforts, our priorities in these meetings include:

- Supporting state efforts to halt expansion of Turtle Bay
- Efforts to restrict the size of the proposed Envision La'ie development and to confine it to the existing BYU campus
- Targeted measures such as form-based codes, relaxed parking stall requirements, and tax-increment financing to facilitate infill development and sewer upgrades as an alternative to suburban sprawl
- Measures to encourage mixed-use development and Complete Streets
- Measures to implement the city's Bicycle Master Plan and to start construction of grade-separated bike paths
- Measures to promote water reuse and to reduce the city's water-energy footprint by supporting onsite systems wastewater treatment at

- major new developments
- Advocating for a "sewer mining" demonstration project at the Ala Wai golf course
- Advocating for an energy audit of the city's existing sewer and potable water infrastructure
- Advocating for targeted measures to promote Low Impact Development to increase water recharge into the groundwater (versus runoff) and to improve water quality in O'ahu's streams and coastal waters
- Pressing for adoption of the 2012 Universal Plumbing Code—including the section that permits reuse of gray water for toilet flushing
- Advocating for targeted measures to boost O'ahu's food farming economy
- Advocating to restore the "White Bin" recycle centers removed from schools and to expand curbside recycling to the entire island and to condos and commercial activities

If there are other measures you would like the O'ahu Group to take up with the city, please email the Group Chair at abaalto@gmail.com.

Anthony Aalto
Chair, O'ahu Group

Donate Now and Your Contribution Is Automatically Doubled!

Here are three easy ways to contribute:

1 Send checks to:

Sierra Club, O'ahu Group, P.O. Box 2577, Honolulu, HI 96803

2 Go online at sierraclubhawaii.com/donate

In the "Special Instructions" box type: "For O'ahu Group"

1 Call: (808) 538-6616





O'ahu Group Outings

**SEE PAGE 15 FOR GENERAL
OUTINGS INFORMATION**

Unless otherwise stated in the outing description, participants meet at 8:00 a.m. at the back porch of the Church of the Crossroads, 2510 Bingham Street, Honolulu. Do not leave your car in the church parking lot.

Classification of outings: (E) Education/ Interpretation, (C) Conservation, (F) Family/Fun, (S) Service

Wednesday, July 3

Pau Hana Hike: 'Aiea Loop Trail (F)
5 mi/Moderate / +/- 900 feet/ Ridge/
'Aiea Heights

Get an early start on the Independence Day holiday. Meet at 4:00 p.m. at the trail head at the end of 'Aiea Heights Drive. Bring pupus to share. Gwen Sinclair 753-0528 gsinclair@gmail.com

Thursday to Saturday, July 4-6

Haleakalā National Park, Maui (S)
Leader: Clyde Kobashigawa 262-6092
Volunteers for this trip will stay at rustic Kapalaoa cabin, which was built in the 1930s by CCC workers and is situated in the center of Haleakalā Crater. They will be eradicating California telegraph plant and plantago. Their reward for roughing it is spending the weekend in a beautiful national park.

Saturday, July 6

Ala Wai Boat Harbor Cleanup (S)
Meet at 8 a.m. at the Harbor Master's office, between the 3rd and 4th row of boats behind the Ilikai Hotel. Park in street stalls or public lot 'ewa of Hilton Lagoon. Wear sturdy shoes with gripping soles and bring a hat, sunscreen, and water. All participants

under 18 must have a waiver signed by their legal guardian. Please contact the leader for the waiver. Closed-toe shoes only. Deborah Blair 955-4168

Sunday, July 14

Wa'ahila Ridge (F)
6 mi/Strenuous/Ridge/East Honolulu
Wa'ahila pine forest above St Louis Heights with views of East Honolulu. Our goal is to reach Mt Olympus. Midway point at summit is steep and narrow trail with drop-offs. Dan Anderson 690-0479 danderhi@gmail.com, Richard Bailey

Sunday, July 14

Photography Hike: Lili'uokalani Garden (E/F)
Reservations required. The pace of photography hikes is extremely slow. Named after Hawai'i's last reigning monarch, Lili'uokalani Botanical Gardens is centrally located in lower Nu'uuanu Valley. Nu'uuanu Stream and Waikahalulu Falls are favorite subjects among professional photographers and photo enthusiasts alike. The garden plantings consist of many interesting native Hawaiian plants in a natural setting. Stan Oka 429-9814, Clyde Kobashigawa clydekobashigawa@clearwire.net, John Shimogawa 227-9925; asst. Susan Tom, Ronette Morales

Saturday, July 20

Old Pali Road to Likeke Falls (F)
4 mi/Moderate/Contour/Nu'uuanu Pali
Reservations required. Meet at 8:30 a.m. at the Pali Lookout parking lot. Wear closed-toe shoes with good traction. Bring at least one liter of water, snack, raingear, sunscreen, hat, insect repellent, and bring Hawai'i state ID since kama'aina park free. Colleen Soares csoares48@gmail.com 748-9215, Sherine Boomla

Sunday, July 21

Sierra Seminar: 'Aiea Ridge Partial (E/F)
5 mi/Moderate/Ridge/'Aiea
Wet ridge trail, off the 'Aiea Loop Trail with many native plants and beautiful scenery. Clyde Kobashigawa clydekobashigawa@clearwire.net, John Shimogawa 227-9925, Stan Oka 429-9814; asst. Susan Tom, Ronette Morales

Saturday, July 27

Late Morning Family Hike: Ho'omaluhia Botanical Garden (E/F)
3 mi/Easy/+/-200 feet/Kāne'ōhe
Meet at 10 a.m. at the First Hawaiian Bank parking area in the Windward City Shopping Center located at the intersection of Likelike and Kamehameha Highway in Kāne'ōhe. This trail winds its way through the city's botanical garden. Situated below the Pali, the park is filled with lush native and exotic plants. We will lunch on the lake, which was built to control the flooding water of the many streams that flow into the park. For more about Ho'omaluhia see honolulu.gov/parks/hbg/hmbg.htm. Ed Mersino 455-8193, mersino@hawaii.edu

Sunday, July 28

Mānana Family Hike (F)
Meet at 1:00 p.m. at the end of Komo Mai Drive in Pacific Palisades. We'll hike about an hour down the trail to a snack spot, then return. Suitable for children age 4 and over. All children must be accompanied by an adult. Benny Martinez (562) 972-7141 benny.martinez@gmail.com, Jim Waddington 947-2732

Saturday, August 3

Maunawili Trail (F/E)
4 mi/Moderate/400 feet
This trail follows the heavily hiked DLNR trail along Maunawili Stream.



At a small side trail, we will divert from the falls trail to explore a secret, fun spot in the valley. On our return down the valley, we will stop at Maunawili Falls before returning to the trailhead. Bring your swimsuits and your sense of adventure. Ed Mersino 455-8193 mersino@hawaii.edu, Sherine Boomla

Saturday, August 10

MCBH Kāne'ōhe Bay Service Project (S)
Reservations required. Contact Dan Anderson at 690-0479 or danderhi@gmail.com by August 8. Help clear a wetland of mangrove plants to create habitat for Hawai'i's endangered waterbirds. Because MCBH is a secured military facility, we must provide your name to the base in advance. We'll send you a waiver, which you must bring with you. Deborah Blair 955-4168, Sherine Boomla

Sunday, August 11

Photography hike: Palehua-Palikea (E/F)
Reservations required three weeks prior. The pace of photography hikes is extremely slow. Not for those uneasy about heights. Native plants, scenic panoramas, and exquisite tree snails are the attraction in this preserve. Clyde Kobashigawa clydekobashigawa@clearwire.net, John Shimogawa 227-9925, Marie Laberge 545-1252, Stan Oka 429-9814; asst. Susan Tom, Ronette Morales

Saturday, August 17

Niu Valley Service Project (S)
2 mi/Moderate/Ridge/Niu Valley
Protect the native Hawaiian 'ulei plants on the mid ridge of Niu Valley. Realignment of the trail along the east edge of the ridge through the ironwood trees will provide a more scenic and enjoyable trail while saving the 'ulei. Bring your favorite sawing, trimming,

or pruning tools! Clyde Kobashigawa clydekobashigawa@clearwire.net, John Shimogawa 227-9925, Stan Oka 429-9814; asst. Susan Tom

Sunday, August 25

Puu Ma'eli'eli (F)
3 mi/Moderate/Ridge/Kahalu'u
Reservations required. Uphill hike to pillbox overlooking beautiful Kāne'ōhe Bay. John Shimogawa 227-9925, Clyde Kobashigawa clydekobashigawa@clearwire.net, Stan Oka 429-9814, Marie Laberge 545-1252; asst. Susan Tom, Ronette Morales

Saturday, August 31

Pūpūkea Summit (F)
9 mi/Moderate/+- 900 feet/Ridge/Pūpūkea
Reservations required. Follow a trail built by the Army and Civilian Conservation Corps to the Ko'olau summit overlooking Kahuku. Gwen Sinclair 753-0528 gsinclair@gmail.com

Sunday, September 1

Kawai'iki (E/F)
5 mi/Moderate/+- 300 feet
This is a great hike above Hale'iwa's old sugar cane fields. We start out on a ridge that separates 'Ōpae'ula from Kawai'iki. We'll take a trail that leads down to an active irrigation ditch in Kawai'iki. The trail then follows the contour of the ditch and ends at a great pool. Reservations required. Ed Mersino 455-8193 mersino@hawaii.edu

Saturday, September 7

Sierra Seminar: Kahana Bay Kayaking (F)
Reservations required. Space limited. Meet at the parking area on the makai side north of the bridge at 10 a.m. We will paddle the bay to the river opening and then up the river to a swimming hole. Bring a hat, sunscreen, water, water shoes, bug protection, snack, life jacket and wear a swimsuit. Laura Gray 634-2132

Saturday, September 14

Sierra Seminar Niu Valley Mid Ridge Partial Hike (E/F)
5 mi/Moderate/Ridge/Niu Valley
Reservations required. Scenic ridge trail with many native plants and possibly some native birds. Bring lots of water, lunch, and camera. Clyde Kobashigawa clydekobashigawa@clearwire.net, John Shimogawa 227-9925, Stan Oka 429-9814; asst. Susan Tom

Sunday, September 15

Sandy Beach Cleanup (S)
Meet at 8:30 a.m. at Sandy Beach bathroom at eastern side of beach park. Clean up along highway and coastal areas until 10:30 a.m. Call Tred (394-2898) for information. Bags and gloves provided. All participants under 18 must have a waiver signed by their legal guardian. Please contact the leader for the waiver. Closed-toe shoes only. Deborah Blair 955-4168, Sherine Boomla

Sunday, September 22

Photography Hike: Mānoa Cliff Trail to Pauoa Flats Hike (E/F)
3 mi/Easy/Contour/Tantalus
Contour trail with many native plants and scenic views of Mānoa Valley and looking into Nu'uuanu Valley. Be prepared with raingear. John Shimogawa 227-9925, Stan Oka 429-9814, Clyde Kobashigawa clydekobashigawa@clearwire.net, Marie Laberge 545-1252; asst. Susan Tom, Ronette Morales

Saturday, September 28

Kamanaiki (F)
5 mi/Strenuous/+-1400 feet/Ridge/Kalihi
Enjoy superb views as we trek up and down this ridge above the Likelike Highway. Gwen Sinclair 753-0528 gsinclair@gmail.com



TWO 3-DAY NEIGHBOR ISLAND SERVICE TRIPS



**Saturday to Monday,
October 12 - 14**

*Hakalau National Wildlife
Refuge, Hawai'i Island (S)*

Leader: Deborah Blair
955-4168

deborahblair1@mac.com

The U.S. Fish and Wildlife

Service manages this refuge. They are creating makai-mauka corridors of native vegetation across open pastures that native forest birds can use in their migrations up and down the slopes of Mauna Kea. The service projects usually involve planting native species such as koa or working in the greenhouse. Accommodations are at a well-equipped cabin at the 6,200-foot elevation with electricity, running water, a flush toilet, a hot shower, kitchen, and bunk beds with mattresses. Participants will need to bring their own sleeping bags. At this high elevation, cold wet weather is always possible, so warm clothing and footwear and good quality raingear are necessary. Raingear can be borrowed from the refuge. The free-time activity may include a hike in a koa-ohia forest to observe native forest birds, some of which are on the endangered species list.



**Saturday to Monday,
November 9 - 11**

*Haleakalā National Park,
Maui (S)*

Leader: Dan Anderson
690-0479

danderhi@gmail.com

Our accommodation for

the weekend is at Kapalaoa Cabin situated in the center of Haleakalā Crater. The work will be eradicating California telegraph plant and plantago. This trip is for hikers in good physical condition and for those who don't mind "roughing it". We have a 7-mile hike in via the Sliding Sands Trail and will exit via the Halemau'u trail. Participants will have to deal with the elevation. The cabin was built in the 1930s by CCC workers and is rustic. There are no washroom or shower facilities, but there is an outhouse. We do have a 2-burner gas stove top and a wood burning stove to cook and keep warm. The reward is spending the weekend in a beautiful national park.

Please Join Us on the Neighbor Islands!

SIERRA CLUB OUTINGS POLICY

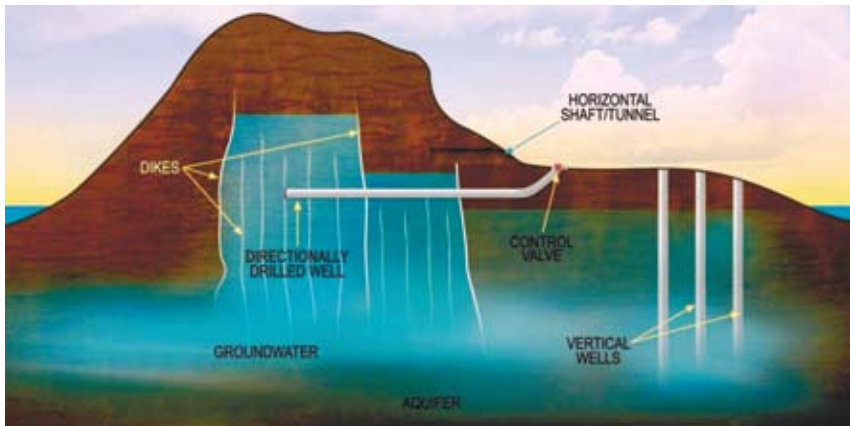
For all Sierra Club Outings: Sierra Club outings are conducted according to Club policy and under the direction of certified Outings Leaders. Our outings are group activities, and all participants are expected to follow leaders' instructions and to remain with the group for the entire outing. We welcome all Sierra Club members, non-members, and visitors on most of our outings; however, certain outings may be restricted to members. Firearms, pets (unless specifically allowed), and audio devices with or without headsets are prohibited. Smoking is permitted only at breaks and then only if the smell of smoke cannot be detected by other hikers. Outing Leaders may prohibit smoking if, in their judgment, a fire hazard exists.

Bring with you: a liter of water (2 liters for strenuous hikes), lunch, sunscreen, insect repellent, raingear/jacket, and daypack. Boots, shoes with traction grooves (no loafers), or tabs are required. Unless otherwise noted, no bare feet or sandals of any type will be allowed.

You will also need to sign a liability waiver. If you would like to read a copy of the waiver prior to the outing, please see www.sierraclub.org/outings/chapter/forms or call 415-977-5630.

In the interest of facilitating the logistics of some outings, sometimes participants make carpooling arrangements. The Sierra Club does not have insurance for carpooling arrangements and assumes no liability for them. Carpooling, ride sharing, or anything similar is strictly a private arrangement among the participants. Participants assume the risks associated with this travel.

For specific islands: Each group may have its own outings policy. Please look at each group's page or website for more specific information on where to meet or what to bring with you.



Water Department's Kahili Horizontal Directional Drilled (HDD) Well

Preparations are underway for the county's Draft Environmental Impact Statement (DEIS) for a high-risk and high-cost "Kaua'i Water System Energy Conservation" project. The goal is to secure a gravity-flow water system from a high-elevation water source to reduce dependency on fossil fuels currently used to pump water from vertical wells and treat surface water.

Four drill sites are being explored in the upper elevations of the South Fork of the Wailua Watershed and the Haiku, Hanama'ulu and Wailua Ahupua'a to develop a new potable water system for the Puhi-Lihu'e-Hanama'ulu-Wailua-Kapa'a service areas.

The HDD well will remove dike-impounded groundwater (at an 800-1,200 foot elevation) by drilling laterally as much as 2.3 miles deep into a mountain. There are no comparable examples of such a project.

Taking an Ecosystem Approach: The Kaua'i Group submitted extensive comments for the DEIS scoping in May. We asked for a broader investigation beyond the .5 to 1-acre drill site areas, because tapping dike-impounded groundwater has the potential to seriously degrade stream

habitat and ecosystems throughout the associated watershed areas.

Cart before the Horse? We recommended that several important plans be completed first: a study of water conservation measures for the county and a Watershed Management Plan that provides a 20-year strategy for the preservation, restoration, and balanced management of groundwater, surface water, and related watershed resources.

Still pending is the completion of the Water Resource Protection Plan Update by the State Commission on Water Resource Management (CWRM), anticipated by 2014. Also, CWRM must establish instream flow standards for Hawai'i's streams to protect instream uses (State Water Code §174C-71).

This is the minimum amount of water that must flow through a stream to sustain beneficial instream uses such as ecological protection, traditional and customary Native Hawaiian practices, recreation, and scenic values.

Reduction of Streamflow: The HDD well comes with substantial uncertainties. Data collection, field analysis, and monitoring procedures are

needed to detect changes in flow rates along man-made irrigation channels and natural streams throughout the watershed areas. We asked that the study address the cumulative impacts that reduced flows in multiple streams would have on the environment and to explain how instream flow decisions will be made to balance biological and economic factors.

Appurtenant Rights: We asked that the DEIS describe how appurtenant rights will be preserved (State Water Code §174C-63); how the allocation and reservation of Native Hawaiian water rights (§174C-101) will be ensured; and how the county will identify and protect Native Hawaiian traditional and customary gathering rights (§174C-101 (c) and (d)).

Segmentation: The DEIS should describe the project in its entirety to avoid segmentation of environmental review (HAR §11-200-7). It should not isolate exploratory drilling from associated actions necessary to develop a new potable water system, such as building the distribution infrastructure. Since it is likely that a well with sufficient yield (8 million gallons per day) will be found, both short- and long-term impacts related to all phases should be investigated because the exploratory drilling involves a commitment to a larger action.

Other Considerations: In addition to addressing impacts related to drilling activities, contaminants, blowouts or other accidents, we identified numerous environmental, social, cultural, historical, archaeological, and economic concerns for the DEIS to investigate. Learn more about the project at kahili.oceanit.com.



Kaua'i Group Outings

**SEE PAGE 15 FOR GENERAL
OUTINGS INFORMATION**

Join us on one of these great outings to explore, enjoy, and care for our island. Mileage is round trip unless otherwise indicated. Requested donation for members and participants under 18 is \$1. Donations for others: \$5. Check out our website: hi.sierraclub.org/Kauai/index.html
Note: Women are advised not to hike remote trails or camp alone on Kaua'i.

Classification of outings: (E) Education/ Interpretation, (C) Conservation, (F) Family/Fun, (S) Service

Sunday, July 7

Beach Cleanup at Nukoli'i Beach/ easy/ 1/2 mile (S) Help remove litter which poses a threat to sea birds and marine life. Turn makai off the highway just south of the Wailua Golf Course onto an unpaved road the beach. Look for Sierra Club signs. Gloves, bags, and snacks provided. 9-11 a.m. Judy Dalton 246-9067

Sunday, July 14

Maha'ulepu/South Shore/moderate/4 miles (C/E/F) Enjoy the majestic, rugged ancient sand-dune area of Maha'ulepu. Visit the sinkhole/cave archaeological site. Allan Rachap 212-3108

Saturday, July 20

Alakai Swamp Trail / Koke'e/ strenuous/ 8 miles (C/E) One of Kaua'i's best trails winds through native forest for 4 miles and out to Kilohana overlook for panoramic views of the North shore. Need 4-wheel drives to access the trail head. Jane Schmitt 826-6105

Sunday, July 21

Wailua Beach to Nukoli'i Beach Sunset to Full Moon Walk/East Shore/ Moderate/3

miles (C/E/F) Start out late afternoon from Lydgate Beach Park, walking along the beach to Nukoli'i Beach to enjoy the sunset and a full moon rise. Moonlight dip in protected Lydgate Beach swimming area. Judy Dalton 246-9067

Saturday, August 3

North shore/ strenuous/ 4 miles (C/ S/F) Limahuli work/hike—a rare opportunity to see the Limahuli preserve and help endemic plants to flourish in their native habitat, then hike back to the Limahuli waterfalls at the end of the valley. Jane Schmitt 826-6105

Sunday, August 11

Bike ride "Tour de Poipu" South Shore / moderate/ 18 miles (E/F) Mostly level scenic coastal ride. Finish with a swim at Maha'ulepu. Bring your own mountain bike or cruiser; helmet required. Allan Rachap 212-3108

Sunday, August 18

Maha'ulepu Sunset to Full Moon Walk/ South Shore/ Moderate/3 miles (C/E/F) Start out mid-afternoon from Shipwreck Beach walking along the coast to Maha'ulepu to enjoy the sunset and a full moon rise. Spectacular coastal walk! We'll shuttle cars for a one-way hike. Judy Dalton 246-9067

Monday, August 19

Nonou (Sleeping Giant) Conservation Service Project/ East Side/strenuous/4 miles (C/S) Tend to endangered native plants in their habitat and enjoy a full moon walk. Sierra Club members only. Bob Nishek 346-0476

Saturday, August 24

Hanama'ulu Beach Cleanup/ East Shore (S) Help protect marine life, the reef and ocean from litter and fishing net

entanglement. Sierra Club and Surfrider team up for this effort. Look for banners at beach. 9 to 11:30 a.m. Bags, gloves, and snacks provided. Judy Dalton 246-9067

Sunday, August 25

Kuilau Trail/East side/easy /3.5 miles (C/F) This trail offers nice views towards Wai'ale'ale. Kathy Valier 826-7302

Sunday, September 8

Maha'ulepu/South Shore/moderate/4 miles (C/E/F) Enjoy the majestic, rugged ancient sand-dune area of Maha'ulepu. Visit the sinkhole/cave archeological site. Allan Rachap 212-3108.

Monday, September 16

Tropical Botanical Gardens Moonlight Walk & Service Project/ South Side/ Moderate/2 miles (C/E/S) Hike and learn about propagation of native plants in lovely gardens. Sierra Club members only. Bob Nishek 346-0476

Sunday, September 22

Airplane Wreck Trail/ Koke'e/ strenuous/ 5 miles (C/F) This trail winds out above the Kalalau valley spires from the Kalalau lookout & delivers incredible views of the valley below. Jane Schmitt 826-6105

Monday, September 23

Waimea Canyon Road Cleanup/Easy/ 2 miles (S) Afternoon cleanup of Sierra Club's adopted highway requires a little over an hour. Please help keep the gateway to Waimea Canyon litter-free. Bob Nishek 346-0476.

Sunday, September 29

Honopu/Koke'e/ Strenuous/ 4.5 miles (C/E) Ridge hike through native forest with panoramic views along Na Pali coast and into Honopu Valley. Kathy Valier 826-7302.



Maui Group Report

I recently had the opportunity to hike out at the Kaupo Gap, and I was awestruck by the beauty of the native koa forest. Hiking through this rugged natural area surrounded by the songs of birds, I thought of how important it was for me as a kid to explore the outdoors. The connection one feels when out in nature is integral to a respect and sense of stewardship that comes later in life. Going out on a hike or catching a few waves or watching the sunset from a picnic spot gives a place meaning and makes clear why it should be protected. You can hear about a special spot being planned for development but it is not until you see it and walk the ground that you connect to the importance of that place.

We had another successful annual plant sale with Haiku Ho'olaule'a. Thanks to many generous plant donations we raised over \$2,000. This money goes towards protecting and preserving native habitats and access to hiking and outdoor adventures. A big mahalo to Chun's Nursery, Barbara Kaneshige, Sharon and Kekoa Duleff, Tropical Orchid Farm, Vic's Plumbing, Fragrant Orchids, Karen and Malama Chun, Frank and Angela Rust, Ho'ola Farm, Howard Sharpe, Bob and Anne Babson, Daniel Kanehele, Dottie Binder, Janet Six, Neola Caveny, Stacia Ash, and numerous other volunteers.

We had several informative and engaging outings this spring. Thanks to Bob and Doreen Hobdy, Jacob Mau, and Janet Six for serving as Kahikinui-Kaupo historical tour guides and Harriet Witt for sharing her knowledge of the heavens. I encourage you to get out and connect with a new or familiar spot this month and share it with a friend.

Chris Taylor
Chair, Maui Group

UPDATES ON MAUI CONSERVATION ISSUES April-June 2013

North Shore Heritage Park & Ho'okipa Expansion: North Shore park lands were proposed as part of a federal "special resource study" for potential state, county, or federal preservation areas in Senator Schatz's Pacific Islands Parks and Land Preservation Act of 2013. To support preservation go to schatz.senate.gov/contact.cfm Click "New Parks" under the topic section and under comments note: "Support parks study for North Maui Coastline."

Stream Restoration: State Water Commission is expected to hold hearings this summer in Maui regarding Na Wai Eha stream water use permits.

East Maui Wells: Maui Group and allies have asked Judge Cardoza to enforce the 2002 Consent Decree regarding any future wells in Haiku aquifer for the central Maui water system. Ten years have passed with no required studies, no plan for Haiku Stream restoration, and the county appears to be moving forward with test wells outside the area specified by the decree. Negotiations continue with Maui County.

Hamakuapoko Wells: An EIS concluded that the wells mauka of Old Maui High would not impact stream flows, other wells, or cultural practices. Little or no proof was offered. No long-term pumping or operational costs were discussed, or the possibility that rising nitrate levels in one well may require separate treatment facilities.

Haleakala Solar Telescope (ATST):
Native Hawaiian Legal Corp, representing

Kilakila O Haleakala, filed an appeal of the Board of Land and Natural Resources (BLNR) approval of a Conservation District Use Permit for construction on Haleakala's summit. In spite of this some construction activities appear to have begun. Updates kilakilahaleakala.org

Regulation of Aquarium Fish Trade: Earth Justice filed suit in October 2012 asking for an EIS on the impacts of the aquarium trade industry in Hawaiian waters before rules are adopted to regulate the trade. Recently Sea Shepherd Society also launched a major educational campaign to protect reefs and their inhabitants from exploitation. Updates: forthefishes.org

Lahaina Wastewater Injection Wells: Earth Justice on behalf of Maui Group and other allies is asking Maui County to sign a consent decree admitting its liability to meet Clean Water Act standards and to seek a federal NPDES permit, which will place stricter conditions on discharged water quality. All parties have agreed to continue settlement discussions until the end of 2013 in hope of meeting the goals of cleaner discharge and more irrigation reuse of treated water.

Wailea 670: Wiliwilis Forever! Maui Group and Maui Unite's Wailea 670 EIS challenge will be heard July 5. On April 10, 2013, Judge Cahill declined Maui County's request to dismiss the suit on technicalities. The suit seeks to have full disclosure of impacts as well as full discussion of alternative project designs that could protect a 130-acre section of Maui's rarest native ecosystem as a native plant/cultural preservation site. Please donate to Maui Group's Wailea 670 legal fund: mauisierraclub.org



Maui Group Report & Outings

Makena Resort: Current landowners have a new management partner, Discovery Land Company, with an interest in redeveloping the 28-year-old hotel site and immediate vicinity before expanding into other residentially zoned Makena lands. Maui Group will continue to monitor resort plans.

Kihei Mega Malls: State Land Use Commission agreed with Maui Tomorrow and citizen groups: mega malls are not the same industrial park project they approved in 1995. Mega-mall reps have announced that the large mall concept has been abandoned and an EIS will be prepared for the new proposed project.

SEE PAGE 15 FOR GENERAL
OUTINGS INFORMATION

Classification of outings: (E) Education/ Interpretation, (C) Conservation, (F) Family/Fun, (S) Service

East Maui Irrigation Company (EMI) allows us to hike across their beautiful land so long as each hiker has a waiver. An EMI waiver is absolutely required for EMI hikes (listed below). One waiver covers all EMI hikes for this quarter. Call in your waiver request to Kawika or Mark at 579-9516 well in advance to make an appointment for when you can sign it. Then go to EMI's Pa'ia office at 497 Baldwin Avenue to sign the waiver. Waivers cannot be mailed, faxed, or emailed. Please be considerate of EMI staff time and pick up waiver 5 days in advance whenever possible. The waiver must be brought on the hike and shown to the hike leader.

Sunday, July 14

Waikapu Stream Hike (C/E)

D=5 mi R/T. Hike along Everett Ditch

Trail and Waikapu Stream. Water-friendly footwear recommended. Bring water, lunch/snack. Meet at 9 a.m. at County Building parking lot. Limit 18. Leader: Lucienne de Naie. Register: laluz@maui.net or 214-0147

Saturday, July 20

Ko'ie'ie Fishpond Volunteer Day

Spend a morning learning all about the ingenious Hawaiian fishpond. Not only will we learn about the fishpond system, but also about Hawaiian culture and history with Vene Chun. We will also help in restoring the fishpond. Please wear shoes and clothes that can get wet. Bring hat and sunscreen, water and snacks. Meet at 8:30 a.m. at Kalepolepo Park near the National Humpback Whale Marine Sanctuary. Register: Miranda Camp mauimiranda@hotmail.com or 808-264-5640

Friday, August 9

Summer Benefit Sky Star Watch with Astronomer Harriet Witt (E)

The Milky Way Galaxy will be on full display for summer. Join noted astronomer, educator, and author Harriet Witt to learn about our Hawaiian night sky. Meet at 6 p.m. at Keone'o'io (La Perouse) parking lot. Bring folding beach chair, warm clothes, and shielded flashlights. Donation: \$5 for members, \$10 nonmembers. Register: Lucienne de Naie laluz@maui.net or 214-0147

Saturday, August 17

Lower Waikamoi Stream Hike (EMI waiver required) (C/E)

D=1.5 mi R/T. Begin at Waikamoi roadside park; hike along trail and in stream. Bring hiking sticks, water-friendly footwear, water, lunch/snack. Meet 8 a.m. Haiku Community Center. Limit

15. Leader: Miranda Camp. Register: mauimiranda@hotmail.com or 264-5640

Friday, August 30

Huelo watershed hike (C/E)

D=4 mi R/T. Rainforest trail, archaeological sites, and waterfalls. Can be muddy. Bring water, lunch/snack. Meet 9 a.m. at Haiku Community Center. (Private land—no EMI waiver needed.) Limit 20. Leader: Lucienne de Naie. Register: laluz@maui.net or 214-0147

Saturday, September 7

Pauwahu Bird Sanctuary in Ke'anae (C/E)

D=2.5 mi R/T. Coastal hike through historically rich area with spectacular views. Bring water, lunch/snack, cameras. Meet 9 a.m. at Haiku Community Center. Limit 18. Leader: Lucienne de Naie. Register: laluz@maui.net or 214-0147

Sunday, September 15

"Get the Drift and Bag it" Hamakua Shoreline Cleanup

D=1 mi R/T. Partner with Community Work Day and other groups to clear debris, large and small, from a beautiful beach cove past Maliko Gulch. Bring water, lunch/snack, work gloves. Meet 9 a.m. at Maliko Gulch overlook (Pa'ia side of gulch). Leader: Lucienne de Naie. Please RSVP if you can kokua: laluz@maui.net or 214-0147

Friday, September 27

Huelo Coastal Trail Hike (C/E)

D=3 mi R/T. Explore rugged East Maui coastal pali on a community trail through private land. Cultural sites and views. Bring water, lunch/snack, cameras. Meet 9 a.m. at Haiku Community Center. Limit 18. Leader: Lucienne de Naie. Register: laluz@maui.net or 214-0147



Moku Loa Group Report

Mauna Kea

Future Now in Court

On May 12, 2013 an appeal was filed with the Third Circuit Court to stay the decision by the Board of Land and Natural Resources (made a month earlier) to allow construction of the Thirty Meter Telescope on the northern slope of Mauna Kea.

The Moku Loa Group is not part of this appeal, yet environmental and recreational issues are being raised by Hawaiian cultural practitioners as well as KAHEA and Deborah J. Ward, who is a past Moku Loa Group Chair.

In prior years Ward, who has served on the Office of Mauna Kea Management's Environmental Committee, testified that the resources management plan that the committee had worked on for years had been "expunged without explanation" from the new management plan. That committee's plan had required several important studies, including a baseline inventory of natural resources that had been called for as early as 1983.

"How is it that the university has ignored its own management plans for more than 25 years, and yet, when they apply for another billion-dollar project, this inventory work is not yet complete?" Ward asked.

There has never been any discussion about changing the UH General Lease and approving of major, heavy industrial activity indefinitely on the mountain.

Nelson Ho

Chair, Moku Loa Group

Geothermal Update

Geothermal protections are being dismantled, new projects are forging ahead, and many risks from ongoing

operations at Puna Geothermal Venture (PGV) remain unabated.

For years, geothermal projects were limited to designated subzones, and county planning commissions could deny geothermal permits. But since the state passed Act 97 two years ago, geothermal wells can be drilled anywhere and counties can't stop them.

The Office of Hawaiian Affairs recently voted to invest in a consortium formed by Innovations Development Group (IDG) to bid on building a geothermal plant. Kealoha Estate offered IDG about 400 acres in Pohoiki for the plant—near the only safe ocean access in Puna.

Community protection plans have not kept pace with expansion plans. PGV's history includes one blowout, one near-blowout, and a pentane explosion and fire. Few lessons have been learned, as an accidental release of hydrogen sulfide from PGV demonstrated this past March. Hawai'i County Civil Defense emergency response teams measured the hydrogen sulfide levels at nearly 100 times higher than the levels recorded by PGV monitors. A voluntary evacuation center opened—but the evacuation route passed through a high-exposure area.

Last spring, residents reported losing sleep during 100 days of 24-hour noise from PGV's drilling of a new well. Soon after, 25 homeowners applied for relocation assistance.

Sierra Club, with Puna Pono Alliance, has contacted DOH, Civil Defense, and County Planning, seeking ways to protect citizens from the hazards of ongoing and future geothermal operations.

Cory Harden

Conservation Co-chair

Complete Streets Training

During my childhood in Hilo, Hawai'i, I depended almost completely on cars for transportation. After moving to Bellingham, Washington, to attend college, I was able to meet all of my mobility needs using public transit, my bicycle, and my own two feet. I was delighted with how this car-free lifestyle connected me with the outdoors and my community on a daily basis.

When I moved back to Hawai'i, I was chagrined to have to rely on a car so heavily again, but I was also motivated to promote the development of car-free mobility for our islands. This prompted me to attend the Sierra Club's Complete Streets Training this past December in Minnesota.

A Complete Street is safe, comfortable, and convenient for all users, including motorists, pedestrians, and bicyclists. Complete Streets benefit the community by:

- increasing road safety
- increasing opportunities for physical activity
- empowering the one-third of Americans who don't drive
- decreasing the number of cars on the road
- revitalizing retail

In 2009 the state legislature passed Act 54, which requires the transportation departments to adopt and implement Complete Streets policies. Despite this success, much work remains in order to realize the full potential of Complete Streets in Hawai'i.

Mālie Larish

Treasurer



Moku Loa Group Outings

SEE PAGE 15 FOR GENERAL
OUTINGS INFORMATION

D = distance, the estimated round trip for the day
E = elevation in feet. + is gain, - is loss, +/- is up and down.
Classification of Hikes: (E) = Education/ Interpretation (C) Conservation (F) Family/Fun (S) Service.

For most hikes, bring 2 quarts of water, rain gear, sturdy hiking shoes, hiking stick, hat/visor, and lunch. For full descriptions and updates go to hi.sierraclub.org/Hawaii/outings.html

Saturday, July 13

Old Mamalahoa Highway to Onomea Bay Donkey Trail Day Hike (E)
Hike will start on Old Onomea Road and end at Ohanakuna Road. Lunch break will be at Onomea Bay. D = 4 miles, E = +400/-400'. Leaders Kana 966-8431 and Rich Vogler 328-8387

Sunday, July 14

Kahuku NP Palm Loop Hike (E, F)
This hike takes the group on the extended Lower Grove loop around the forested pit crater. D = 4 miles, E = +500/- 500', Starting elevation: ~2,200'. Leaders Diane Ware 967-8642 and Rich Vogler 328-8387

Saturday, August 10

Historic Hilo Walk (E, F)
D = 2 miles, E = sea level + 500'. Leaders Sarah Moon 935-3475 and Kana Covington 966-8431

Saturday, August 24

Ka'u Forest Preserve Trail Day Hike (E)
This hiking trail is a four-wheel-drive jeep path with a constant climb through a beautiful rain forest that ends at the top

of a waterfall. Four-wheel drive vehicles are required to get to the trail head. D = 6 miles, E = +1,200/- 1,200', Starting elevation: 1,800'. Leaders Diane Ware-967-8642 and Rich Vogler 328-8387

Saturday, August 31

Pu'u O'o Trail Day Hike (E)
D = 7 miles, E = 5400'. Leaders Linda Larish 966-6337 and Diane Ware 967-8642

Saturday, September 14

Lapakahi State Historical Park Day Hike One-Way Coastline South (E)
Exposed coastline hike on mainly jeep paths passing cultural sites. Expect hot, sunny weather with few shade trees. Hike starts at Lapakahi State Historical Park and ends at Kohala Ranch Road. Camping and swimming is available at Spencer Beach Park for those who want to do the Sunday hike. Camping arrangements are to be made by the individual hike participants. D = 7 miles, E = +600/- 600'. Leaders Diane Ware 967-8642 and Rich Vogler 328-8387

Sunday, September 15

Spencer Beach Park Day Hike One-Way Coastline North (E)
Exposed coastline hike on mainly jeep paths passing coastal bays. Expect hot, sunny weather with few shade trees. Hike starts at Spencer Beach Park and ends at Kohala Ranch Road. D = 6 miles, E = +600/- 600'. Leaders Diane Ware 967-8642 and Rich Vogler 328-8387

Saturday, September 21

Kalopa State Park (E, F)
D = 3 miles, E = 2,250'. Leaders Linda Larish 966-6337 and Kana Covington 966-8431



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Volunteer in the Spotlight: Caren Diamond



Watchdog of Kaua'i Beaches

During her nearly 20 years as member of the Kaua'i Group, Caren Diamond has served on the Group and Chapter Executive Committees for several terms and twice received the Group's Environmentalist of the Year award for winning two Hawai'i Supreme Court cases. "Shoreline Victory," the lead story of the January–March 2007 *Mālama*, featured one of the landmark beach-protecting decisions.

Few Hawai'i residents have their name on a landmark decision from the Hawai'i Supreme Court. But when it comes to protecting beaches and public access, Caren Diamond is willing to go all out—and not just once, but twice. Seven years after the high court ruled, in *Diamond v. State of Hawai'i*, that the public beach extends to the highest seasonal wash of the waves, Diamond and her attorney, Kaua'i resident Harold Bronstein, were back before the justices this past April. The issue is whether the state Department of Land and Natural Resources is "dissing *Diamond*, and by that, I mean the court ruling, not me personally," says Caren, who lives on the North Shore of Kaua'i.

Caren is again challenging how the DLNR sets the shoreline. This time she's contesting its "single-year snapshot" approach, in which the state surveyor is guided solely by what's visible the day of the site visit. This approach doesn't consider whether the beach has been planted or examine historical photographs that show the waves have washed landward of their observations for the previous eight years. "If there's no history on the shoreline, then there's no future," Caren says.

Caren knows what she's taking about, because she's been documenting North Shore Kaua'i beaches in photographs for well over a decade. She's seen private landowners landscape

the beach in front of their property and witnessed the resulting privatization of our public trust resources, erosion, and loss of lateral access. As a result, she lobbied hard for Act 160, which requires landowners to remove any vegetation that blocks lateral access. The measure, set to sunset this year, was made permanent by the state legislature and now awaits the governor's signature.

In addition to her ongoing monitoring of the state's shoreline certification process, Caren is helping Kaua'i County revise its shoreline setback ordinance.

She is also devoting countless hours to a far-ranging investigation into the county's shoddy implementation of the transient vacation rental (TVR) law. Caren has documented ground-floor enclosures within the flood zone, illegal multi-family rentals, blocked accesses, and the steady encroachment of landscaping onto the public beach.

"The public beach has been successfully privatized for the benefit of visitors," Caren says. "They have turned our entire community into a resort." She is now concerned because the state has recently taken the position that it will not require landowners to remove vegetation or other encroachments onto the public beach as a condition of certifying the shoreline.

Instead, it will rely Act 160, which Caren doesn't find reassuring. Though

Act 160 was used to clean up beaches at Kahala and Diamond Head on O'ahu, it has not been used on Kaua'i even once in the three years since the law was adopted.

"We are losing our beaches," Caren says. "For whatever reason, the state is very reluctant to enforce against landowners who intentionally cultivate the beach. But now that Act 160 has been made permanent, I'm hoping that DLNR will begin an ongoing, concerted effort to help us reclaim our beautiful beaches."

Despite all her work on behalf of beaches and public access, Caren rarely goes to the beach anymore. She finds it too depressing to witness all the resort development and landscaping that has marred the beaches where she used to take her three children, now adults, to play when they were babies. "I try to go and relax, but it just makes me angry, so I stay home," Caren says.

Still, that's not exactly punishment, considering she lives in one of the most beautiful valleys on Kaua'i, where she is slowly and surely opening up taro loi in her yard. With the same dedication and perseverance she has shown in pursuing beach access issues, Caren has been hand weeding the loi and replanting them with taro.

"It's very rewarding," Caren says. "There's nothing like playing in the mud to boost your spirits. It rejuvenates me so I can continue to work on behalf of the environment." —*Joan Conrow*



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