



# PLANNING COMMISSION

KAAINA S. HULL, CLERK OF COMMISSION

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## MEMORANDUM

**DATE:** September 27, 2021  
**TO:** Planning Commission  
**FROM:** Clerk of the Commission  
**SUBJECT:** 1st Addition to the 9/28/2021 Planning Commission Agenda

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### **G. CONSENT CALENDAR**

#### 1. Status Report

- a. 2021 Status Report – Coco Palms Hui LLC
  76. Letter (9/25/2021) from Anne Thurston.
  77. Letter (9/26/2021) from Teresa Tico.
  78. Letter (9/26/2021) from Jessica Kuzmier.
  79. Letter (9/26/2021) from William Kaauwai II.
  80. Letter (9/27/2021) from Gary Hooser.
  81. Letter (9/27/2021) from Kuualoha Hoomanawanui.

**Kristen Romuar-Cabico**

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**From:** Anne Thurston <athurston@irmt.org>  
**Sent:** Saturday, September 25, 2021 10:14 PM  
**To:** Planning Department  
**Subject:** No Hotel at 'Coco Palms" please!

CAUTION: This email originated from outside the County of Kauai. Do not click links or open attachments even if the sender is known to you unless it is something you were expecting.

I strongly oppose the idea, put forward by the current owners of the old Coco Palms Hotel, of building a new hotel on the same site. Immediately after Hurricane Iniki this might have made sense, but now, 29 years later, this is certainly not an appropriate location for a hotel. Not only would a hotel severely disrupt traffic flow, north and south on the highway, but the process of its construction would cause great disruption to residents and visitors alike.

It is time now to think much more creatively about how this site, which is of major religious significance for Hawaiians, could serve the people of Kaua'i. In my view, it could and should play a vital role in anchoring the stability of our island community through recognition of the core importance of Hawaiian history and culture. I can think no more healing, positive contribution for the whole island, now and in the future, than revitalising and restoring this site as a place of culture, education, conservation and green open space for our community. I know that there is a strong commitment to this proposal by community leaders, and I support it warmly and with great appreciation.

Yours sincerely,

Anne Thurston

808 639 4904

G.I.A.76.

SEP 28 2021 (A)

**Kristen Romuar-Cabico**

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**From:** teresa tico <haenagirl@gmail.com>  
**Sent:** Sunday, September 26, 2021 10:45 PM  
**To:** Planning Department  
**Subject:** Coco Palms, 9/28/2021 agenda itemG.1.a  
**Attachments:** Coco Palms\_ltr to Planning Commisison.pdf

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Please see attached written testimony. I would like to give oral at the public hearing.  
Teresa Tico

G. I. A. T. T.  
SEP 28 2021 (A)

**TERESA TICO, ATTORNEY**  
**P.O. Box 220**  
**Hanalei, HI 96714**  
**(808) 639-9080**

September 26, 2021

TO: County of Kauai Planning Commission  
via email: [planningdepartment@kauai.gov](mailto:planningdepartment@kauai.gov)

FROM: Teresa Tico, Attorney

RE: 9/28/2021 Agenda, Item G.1.a. 2021 status report re: Coco Palms

Dear Commissioners:

I am writing to urge you to revisit the permits that were issued to Coco Palms Hui under Ordinance 961, signed into law in 2013, that clearly overrode federal, State and County laws and policies that protect our shorelines. You must require the developers to do a Shoreline Survey and apply for a SMA permit.

As a result of Ordinance 961, the Coco Palms Hui developers were able to bypass the rigorous Special Management Area and Shoreline Survey laws that our County and State have diligently and necessarily adhered to in shoreline development. This was illegal and against our County and State policies of protecting our shorelines.

Having reviewed the Planning Department files from that time period, it is obvious that the County was swayed by sentimental and emotional testimony, not factual or legal, to give the developers a break under a number of ordinances passed after Hurricane Iniki in 1991 that were intended to help local residents rebuild their homes without going through the rigors of County CZO rules.

We are in the year 2021, approaching the year 2022. Hurricane Iniki struck the Island of Kauai on 9/11/1991, over 30 years ago. Coco Palms Hui, the beneficiary of Ordinance 961 passed in 2013 that gave them an additional two years to apply for their permits, completely failed in their representations to the County. They defaulted on their loans, they were sued, they were foreclosed, and the creditors are now standing in their shoes. The creditors are not local residents. They are not the intended beneficiaries of Ordinance 961. That they should be EXEMPT from Special Management Area laws and Shoreline Survey rules is a LEGAL FICTION.

You have taken an oath to uphold the laws of the State of Hawaii and County of Kauai. These laws require a Special Management Area permit and Shoreline Survey for any development within the SMA of the County. This project is within the SMA. Even if you erroneously believe Coco Palms Hui's creditors are exempt from our State and County laws and policies, remember that Coco Palms was built over a half century ago. Times have changed dramatically. We are

living in CLIMATE CRISIS. Our shorelines are receding dramatically. You know that because you drive past Coco Palms and can see the evidence in front of your eyes, as everyone on this island can see.

You have the legal responsibility to require a SMA permit and Shoreline Survey. That is not asking much. It is asking what every other developer in the State of Hawaii is required to do if they want to develop in the SMA. It is asking that they follow the laws of our County and State. Just do the right thing and follow the law. Don't be swayed by politics or money. You know what is right for the island of Kauai. Just do it. Require them to do a Shoreline Survey and apply for a Special Management Area permit like every SMA developer on the island is required to do. Do not give them anymore breaks. Thirty years is enough.

Aloha,

*/s/ Teresa Tico*

Teresa Tico

**Kristen Romuar-Cabico**

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**From:** Jessica <jessntd@gmail.com>  
**Sent:** Sunday, September 26, 2021 11:10 AM  
**To:** Planning Department  
**Subject:** Restore Wailuanuiaio'āno - No Hotel at "Coco Palms"!

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Aloha Kauai Planning Commission,

I am a resident of Hawaii Island and would like to submit a testimonial against building a new hotel on the Wailuanuiaio'āno site. Although I do not live on Kauai, I support the collective effort to restore this site to a place of culture, education and conservation. In this time of global warming and climate change, preservation of sites such as these is essential for ecological reasons such as water purification and protecting the aina from additional stresses due to sewage and deforestation. With the state's objective to plant or preserve 100 million trees over the next decade, this site could better serve that objective as a preserve to enhance and pursue this goal with additional coconut palm trees and other appropriate native trees for the terrain.

G.I.A.78.

SEP 28 2021 (A)

Additionally, there is a great deal of spiritual and cultural tradition that reside in this site. Considering the decimation that has already been done to the Kanaka people, preserving this site as a cultural, historical and natural site will benefit not only them but to all people for years to come.

It is important as we recover from COVID, and plan for a future, that all tourism be sustainable not just for the immediate future but for generations to come. A hotel with all the bells and whistles seems like same old, same old, before the knowledge and insight of the impacts of mass tourism. Now, we know better, both as a general populace pertaining to sustainability and how everything we do affects everything else. There has been no hotel here for 29 years since Hurrican Iniki, and I believe that it should remain that way as the greatest good for the greatest amount of people and life forms.

Mahalo for your time to this issue and for your hard work. Jessica Kuzmier, Kailua-Kona

**Kristen Romuar-Cabico**

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**From:** William Kaauwai II <kamokilahawaii@gmail.com>  
**Sent:** Sunday, September 26, 2021 11:40 AM  
**To:** Planning Department  
**Subject:** Aloha Aina

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Aloha Planning Dept,

It's time to say Aloha to Coco Plams and make it into a Park for everyone to enjoy. It is a landmark and secret to the Kanaka Maoli and needs to be preserved for ALL TIME. Please, I asked Humbly no more building!! Let it be Kauai's Crown jewel Again, Make it a beautiful park for all to enjoy!!! Aloha and Mahalo,  
Bill Ka'auwai II

G.I.A.79.  
SEP 28 2021 (A)

**Kristen Romuar-Cabico**

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**From:** G Hooser <garyhooser@gmail.com>  
**Sent:** Monday, September 27, 2021 8:56 AM  
**To:** Planning Department  
**Subject:** Coco Palms, 9/28/2021 agenda itemG.1.a

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TO: County of Kauai Planning Commission

FROM: From Gary Hooser

RE: 9/28/2021 Agenda, Item G.1.a. 2021 status report re: Coco Palms Dear Commissioners:

Aloha Commissioners and mahalo for your service to our community.

I am writing today to strongly encourage you to look closely at the lack of progress, the unmet conditions, the lack of an SMA permit etc, and then utilize your legal authority to stop the disgraceful charade that has continued through multiple would be developers since Hurricane Iniki. The County has tried over and over again to accommodate the needs and desires of the various owners and the time has come to say enough is enough. The developer/owner has not shown good faith, nor the financial capacity, nor even the legal authority to complete the project, and it's not in the publics best interest for this to continue.

As a former member of the Kauai County Council, I have dealt directly on numerous occasions with the commonly referred to "Iniki Ordinance" and know without a doubt, it was never intended to allow this kind of never-ending deferment of modern building standards, codes and permits. While most of the conversation surrounds the 30 years that have transpired since the hurricane - it 's important to remember also that the original Coco Palms Hotel, was built in 1959. Needless to say, alot has changed since then.

Thank you all in advance for giving this matter the full thought and consideration it is due, and for being willing to make the tough and correct decisions to guide our County forward. Please revoke the current permits and tell the owner/developer (whatever LLC that might be) to start over and that the Iniki Ordinance and all of that special treatment is no more.

Sincerely,

Gary Hooser  
808-652-4279

Note: In the interest of full disclosure, I am a volunteer community member working with other's in the community actively opposed to future hotel development on this site, preferring instead the development of a non-profit community owned and managed cultural center and related facilities.

G.1.a.80.  
SEP 28 2021 (A)

**Kristen Romuar-Cabico**

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**From:** Ku'ualoha Ho'omanawanui <kuualoha@hawaii.edu>  
**Sent:** Monday, September 27, 2021 12:08 PM  
**To:** Planning Department  
**Subject:** written testimony re. Coco Palms property  
**Attachments:** hoomanawanui - testimony re coco palms resort development 9-7-2021.pdf

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aloha,

Attached is my written testimony re. the Coco Palms property.

mahalo,

ku'ualoha ho'omanawanui

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ku'ualoha ho'omanawanui  
Director, Ka Ipu o Lono Digital Arts and Humanities Initiative  
Professor of Hawaiian Literature, English Department  
Affiliate faculty member, Center for Pacific Island Studies  
Affiliate faculty member, Indigenous Politics Program, Department of Political Science

For English Undergraduate Program questions, please contact Valerie Jun at [enghi@hawaii.edu](mailto:enghi@hawaii.edu)

University of Hawai'i at Manoa  
1733 Donaghho Rd. KUY 316  
Honolulu, HI 96822  
phone: (808) 956-7558  
email: [kuualoha@hawaii.edu](mailto:kuualoha@hawaii.edu)

To schedule an advising appointment click the link below:  
<https://hoomanawanuiadvising.acuityscheduling.com/>

Author of *Voices of Fire, Reweaving the Literary Lei of Pele and Hi'iaka*, University of Minnesota Press, 2014

G.I.A.S.I.  
SEP 28 2021 (A)

To: Kaua'i Planning Commission  
Fr: S. Ku'ualoha Ho'omanawanui  
Re: Opposition to Redevelopment of former Coco Palms Resort as a hotel/resort

September 7, 2021

Dear Kaua'i Planning Commission,

Aloha kākou. My name is Sherilyn Ku'ualoha Ho'omanawanui, I was raised in Wailua Homesteads above the site of the former Coco Palms hotel property, and I oppose any current or future plans to redevelop this location for a hotel or resort of any kind. The time to redevelop this location has long past. Because of current and projected climate change issues, desires to shift the economic base of Hawai'i, Kaua'i included, away from tourism, a better, more culturally- and environmentally-based vision for the location, and better understanding and appreciation for the long, vibrant history of this 'āina (land), any hotel or resort here is undesirable.

I grew up in Wailua in the 1970s-1980s when the property was still a welcomed and bustling tourist hub, and like many, have fond memories. But much has changed in the three decades since the property was destroyed by Hurricane 'Iniki, and fond memories of the past are not enough reason to support a resort here. Rather, we should dream towards creating a new future, one that will be a cultural and economic showcase of what is possible in the 21st century of sustainability that is 'āina, island, culturally, and community-centered, one that can support tourism as well, but one that offers balance and is not solely money-driven for the few who will financially profit.

I hold a PhD and have built an educational career teaching at the university level and publishing peer-reviewed scholarship on topics in Hawaiian Studies, specializing in mo'olelo, Hawaiian history and literature, with a focus on folklore, mythology, and traditions of Kaua'i. My knowledge and expertise is built as much from my experiences growing up in this region, swimming, fishing, and diving in these waters, playing in the sand on these beaches, participating in heiau cleanups, navigating up the Wailua river, hiking and horseback riding throughout the mauka trails, listening to kūpuna (elders) share their personal knowledge and experience of the place and of cultural practices, as it is from my studies. This location is one of the most significant places on Kaua'i for centuries. I have attached a published article on Wailua, one I spent years researching, that includes references to many mo'olelo, mele (chants, songs), hula (dances), 'ōlelo no'eau (proverbs), and wahi pana (sacred and legendary sites) that point to this specific area of Wailuanuiaho'āno as one of the most sacred places in the Hawaiian archipelago. Specific locations near the resort property, such as Holoholokū and Hauola heiau, are actively used by Hawaiian cultural practitioners. Rather than redevelop a resort, cultural sites on the property, such as the walled fishponds, could invigorate Kaua'i's economy and lifestyle by being returned to active cultural practice, and providing food for our community and possibly other resorts.

The time has come for this wahi pana—this special and sacred place—to be revitalized and revised in a new way. By returning the property to the community, an exciting opportunity to reconnect it to its surrounding wahi pana, from the heiau and pu'uhonua of Kahikinaokalā and Hauola, to Ala Kukui on the other side of Wailua bay, to Holoholokū heiau and the sacred birthing stones across the main road going mauka to Wailua Homesteads, to Polī'ahu heiau and the pōhaku kani (bellstone) location on the hillside, and beyond, it is a chance for this 'āina to be healed and flourish as it once did before. It was and can once again be a piko (center) for Kaua'i, and a showcase for Hawai'i and the world.

The I Ola Wailuanui working group, comprised of dedicated, hard working Kaua'i kama'āina, including myself, have developed a plan, based on countless hours of community input and study over many years, that envisions this property as a location to gather and learn, to produce culturally relevant food crops this area was noted for (fish, taro, and more), as a culturally grounded green space for everyone to share. This piko of Wailuanuiaho'āno needs to be returned to the people. It is an ideal location for a park, cultural and educational center, and place for 'āina-based learning and experiences. This area should be transformed into a thriving place for all 'ohana (families) enjoy and learn about Hawaiian history, culture, land management and more.

Historically, Kaua'i was a "separate kingdom" because of our incredible leadership and people, one that provided for all needs, in a society that flourished. Hawaiian culture is more than just a "host" culture: it is one that used brilliant methods of science to grow food much more productively through building lo'i and fishponds that didn't only extract from the land, they enhanced the land and the people flourished. That is what aloha for our 'āina, and in extension, our community, really means. As the old saying goes when farm lands were replaced with the Ko'olina Resort development in west O'ahu—no can eat golf balls. By returning to the 'āina and revitalizing this piko of aloha 'āina, together, we can honor this place, honor the culture and environment, honor our own Kaua'i community, and create a unique opportunity for enrichment in cultural and environmental education. This could be a cultural anchor and gateway to the Wailua-Waipouli-Kapa'a designated resort area, one that provides a new model of tourism and economic hope, as much as economic vibrancy. Please be bold, be visionary, and see beyond the tired and unsustainable what is, and look to what was, and what can be. Mahalo.

me ke aloha,

S. Ku'ualoha Ho'omanawanui