

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

March 28, 2008

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No.:99OD-139
OAHU

Re-submittal Report on Kaaawa Community Association and the Koolauloa Neighborhood Board Position Statements of Lease to Windward Retreat Center for Religious, Social (Community), and Charitable Eleemosynary Purposes, Kaaawa, Koolauloa, Oahu, Tax Map Keys (1) 5-1-14:por. 47 and 5-1-11:por. 55

BACKGROUND:

At its October 13, 2006 meeting, under agenda Item D-12, the Land Board approved its prior action of June 9, 2005, under Item D-17 by a) the rental shall be \$480; 2) delete Recommendation N; 3) Amend Recommendation B by deleting the word Obtain and replacing it with Shall start. Add: In the event the Applicant is unsuccessful in obtaining a Special Management Area Permit and/or a Conditional Use Permit from the City and County of Honolulu. The lease shall be automatically terminated without a Land Board hearing. The Land Board amended its approval by adding condition B to the Recommendation Section as: Staff shall write a letter to the Applicant requesting that it obtain official position statements from the Kaaawa Community Association and the Koolauloa Neighborhood Board on whether they support the issuance of a direct lease to Windward Retreat Center and within sixty (60) days of October 13, 2006, staff shall report back to the Land Board with the status and results of the Applicant's efforts to obtain the official position statements from the two organization.

Staff notified Windward Retreat Center and copies were forwarded to the Kaaawa Community Association and the Koolauloa Neighborhood Board.

By letter dated November 3, 2006, Ms. Dawn Chang informed staff that additional time was needed due to Kaaawa Community Association could not convene until January 2007. This was further confirmed when staff received telephone calls from Mr. Rep Bellinger and Ms. Dee Dee Letts explaining that their respective organizations could not meet in December, but will be meeting in January 2007.

Windward Retreat Center conducted community information meetings in January 2007. Presenting details of its proposed operation and answer questions from the residents.

The Land Board at its meeting of January 11, 2008, under agenda Item D-18, accepted staffs request to have the Report on Kaaawa Community Association and the Koolauloa neighborhood Board Position Statements of the Lease to Windward Retreat Center deferred.

REPORT:

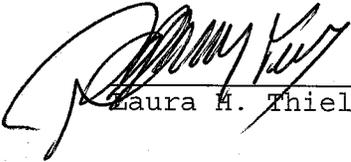
The Kaaawa Community Association held a meeting on January 9, 2007 and voted 3-2 not in support of the Windward Retreat lease to be issued by the Department. The Koolauloa Neighborhood Board held a meeting on January 11, 2007 and voted 6-0 not in support of the Windward Retreat lease to be issued by the Department.

Respectfully Submitted,



Charlene E. Unoki
Assistant Administrator

APPROVED FOR SUBMITTAL:

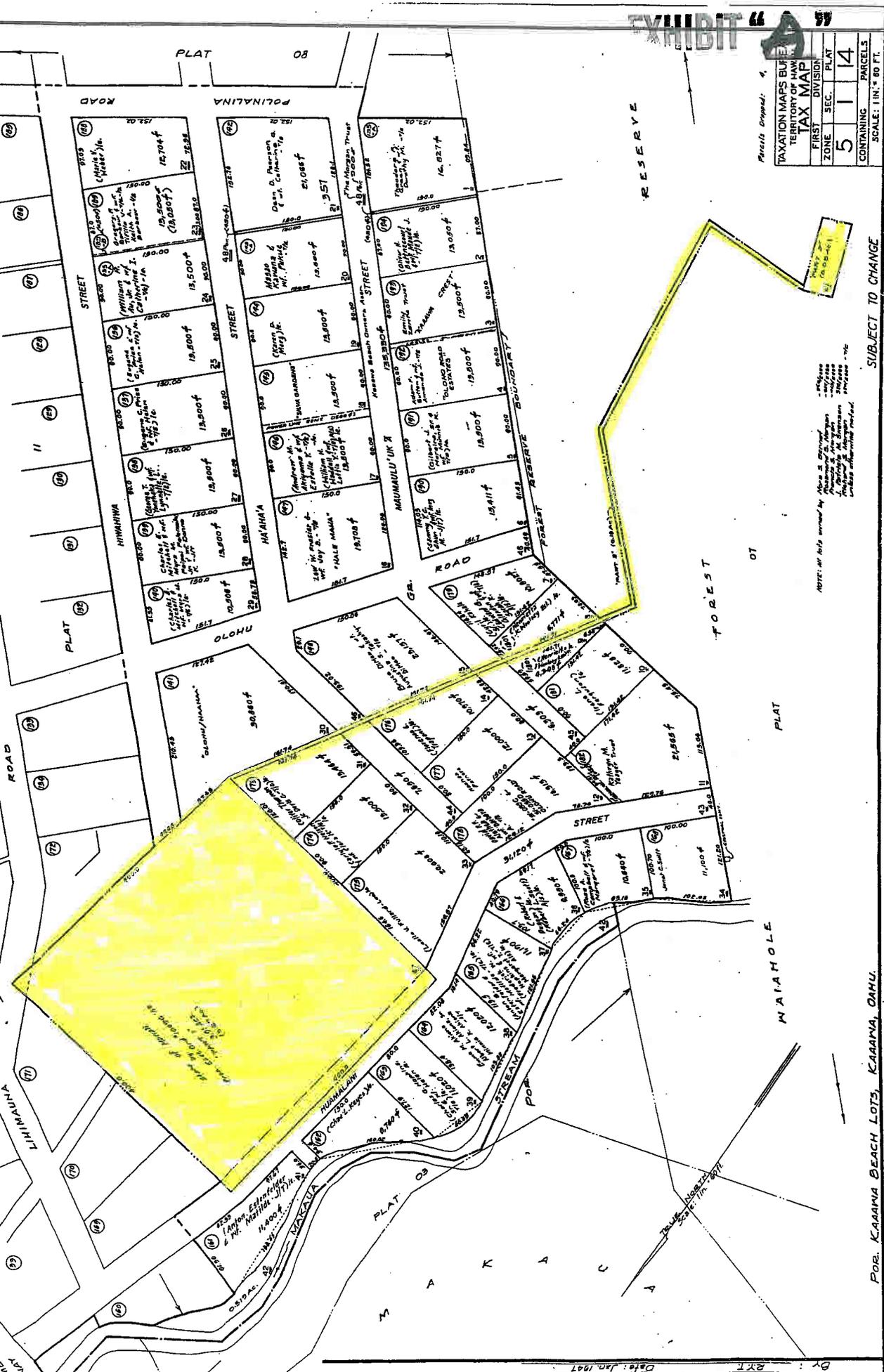


Laura H. Thielen, Chairperson



EXHIBIT A

EXHIBIT "A"



Parcels Contained: 4

TAXATION MAPS BLUE
 TERRITORY OF HAWAII
TAX MAP

FIRST DIVISION	ZONE	SEC.	PLAT
5	1	14	

CONTAINING PARCELS
 SCALE: 1 IN. = 80 FT.

SUBJECT TO CHANGE

NOTE: All lots owned by
 - Any one person
 - Any two persons
 - Any three persons
 - Any four persons
 - Any five persons
 - Any six persons
 - Any seven persons
 - Any eight persons
 - Any nine persons
 - Any ten persons
 - Any eleven persons
 - Any twelve persons
 - Any thirteen persons
 - Any fourteen persons
 - Any fifteen persons
 - Any sixteen persons
 - Any seventeen persons
 - Any eighteen persons
 - Any nineteen persons
 - Any twenty persons

P.O. Box 629, Ka'a'awa, Hawaii 96730

Telephone and other contact: [Cell: 221-5559]; Fax: 237-8962; eMail: drjant@aol.com

BY HAND DELIVERY

January 7, 2007

Mr. Reb Bellinger
President, Ka'a'awa Community Association
Ka'a'awa, Hawaii 96730

RECEIVED
LAND DIVISION
2007 JAN 11 P 1:49
HONOLULU
STATE OF HAWAII

Dear Mr. Bellinger

**re: Meeting of Ka'a'awa residents held on January 4, 2007 about the
Windward Retreat Center's attempt to lease State land in Ka'a'awa
and issues arising therefrom**

The case **against** the proposed lease of some 4 acres of prime State land in Ka'a'awa to the Windward Retreat Center ("WRC") was made in a two hour long meeting on the evening of January 4. Some 37 residents were present: 28 people voted against the granting of a lease; 8 voted for and one person abstained. Moreover, more than fifty people who live in Ka'a'awa have signed a petition opposing this project.

I write this letter for two reasons: 1) to cover some of the issues canvassed at the meeting on Tuesday evening, and 2), at the end of it, to lay bare the outlines of an alternative.

In the calculus of any community's considerations the nature of any given project is at least as important as the community's perception of the truthfulness of the people behind it. In this case, particularly to those of us who have spent many hundreds of hours

EXHIBIT "B"

Mr. Brett Pruitt, describing himself as a "volunteer" and implicitly claiming to have authority to speak for WRC's Board of Directors, did not produce any tangible evidence that he was so authorized and Dr. Stauffer, claiming to be the President of the WRC, and being present at the meeting as the lone member of the Board, could not, and did not, provide any proof that Mr. Pruitt had any authority to speak for any particular member of the Board or the Board collectively. When pressed to provide tangible evidence on several issues, including financial sources to fund this project, neither Mr. Pruitt nor Dr. Stauffer could provide such information.

In close to one hour of direct testimony provided by Mr. Pruitt, WRC's attorney and Dr. Stauffer, many questions put to them were either not answered or such answers that were provided were both vague, and, apparently, deliberately evasive. Mr. Pruitt disclosed, and Dr. Stauffer confirmed, that WRC had no track record of any kind even though they claim to have been in existence for some ten years.

When confronted with the accusation that the WRC project looked like, at least in one segment of it, that it was one designed to provide cheap housing for Mr. Pruitt, this was not denied although it was not affirmed either.

Faced with direct testimony that this project does not have the support or endorsement of the Society of Friends (Quakers) as has been inferred on several occasions by spokespersons for the WRC, including Pruitt and Stauffer, neither could rebut what was presented as testimony to the meeting. In fact Dr. Stauffer was present at a Quaker Service in Honolulu on Sunday morning (December 31, 2006) when I raised this matter with the Quaker membership present and was flatly told by Mr. John Whalen, the Clerk of the meeting, that neither the Friends as a group nor any one connected with it have anything to do with the WRC project. Stauffer was present and when that statement was made he remained silent.

A request for WRC to provide copies of its 990 annual returns to the IRS (mandated by the Code) was presented to Dr. Stauffer at the meeting. He has given no indication whether or not he intends to make this disclosure although the law requires that he must.

The meeting was informed, and members of the community present took due note of the fact, that the principal reason why this application was still alive was because there was political pressure directed at the Land Board by the Governor's office. Evidence for this is available for anyone to see in the files of the Land Division.

I pointed out that Charlene Inoki, a staff member of the Land Division present at the meeting, has told me on several occasions that she and other members of the staff of the Division have consistently opposed the WRC application but have been pressured into "supporting" it by the Governor's office and by Peter Young. Charlene Inoki had an opportunity to deny this at the meeting but chose not to do so.

The point was also made that the bottom line in this matter, all things considered, was that the substantial lack of disclosure, and a pattern of half truths by which this project

looking into this project (I, for example, have copies of every document in the Land Division's files on this project and have read and analyzed them and discussed them with attorneys and other experts) have become familiar with a steady pattern of deception by people associated with it. When one takes the pattern of deception into account and views it in historical perspective one has to conclude that the circuits of credibility are heavily overloaded. We saw a lot of this on Tuesday evening: failure to disclose piled upon failure to disclose. Transparency circumvented. Simple and straight forward questions not answered. WRC Board members who should have been present, not being present. An attorney who failed to disclose that she was present at the meeting as an attorney and only disclosed her professional identity when pointedly questioned by me.

Tuesday night's meeting was mandated by the Board of Land and Natural Resources as part of its requirement that before it takes any further action regarding the issuance of a lease to the WRC it must hear from Ka'a'awa residents as well as from the Ko'olau Loa Neighborhood Board. At its heart the purpose of this meeting was to afford the applicant Windward Retreat Center an opportunity to fully disclose the details of its plans and for the community, in turn, to ask questions about the project and to have an unfettered opportunity to say yea or nay and, then, to have the community's position made known to the Board.

If the applicant WRC was serious about full disclosure it ought to have had all of the members of its Board of Directors at the meeting to participate in the disclosure/transparency process and to answer questions. As it turned out just one member of the WRC's Board was present. The meeting was informed that the others could not attend, not for any good reason, but simply because, apparently, they just could not be bothered. Or, perhaps, as has long been their practice, Stauffer and Pruitt do not want to have all of the members of the Board of Directors of WRC to meet Ka'a'awa residents. They certainly had plenty of notice.

The WRC representatives were accompanied by counsel (Dawn Chong?) who did not disclose at the outset that she was at the meeting as counsel. When she arrived she attempted to take the meeting over and run it as a facilitator but this was quite properly rejected by you. It was only after questions were asked of her that she disclosed that she was an attorney, that she was licensed to practice in Hawaii and that she had an attorney/client relationship with WRC. She did not disclose whether she was currently a member of the Hawaii Bar in good standing. In this connection I have it in mind to file a formal complaint with the Office of Disciplinary Counsel about Ms. Chong's (if that is her name) professional behavior which I find both offensive and deceptive.

The applicant WRC knew in advance of the meeting that its purpose was to enable them to disclose all matters related to their proposed project. WRC representatives present did disclose skeletal details reflected in some architectural draft drawings but **provided no verifiable information on where the money (either capital expenditure to get it off the ground or recurrent expenditure to keep it going) was going to come from.**

has come to be known, raised the matter of trust.—the evasive tendency of both Pruitt and Stauffer. It has been a matter of considerable concern to me, and, I might add, many other people in the community, that the fact that the majority of members of the Board of WRC failed to make a showing at Tuesday night's important meeting is a measure of the low esteem in which they hold our community. All of the members of the Board have never, to my knowledge, ever come to the community to introduce themselves, provide information or to answer our questions.

Six years ago, at its meeting on October 28, 2000, the Ko'olau Loa Neighborhood Board voted against this project as one community member attending the meeting on Tuesday evening disclosed. On the basis of the Ka'a'awa residents' firm rejection of this project (stubbornly pushed over many years by a dubious non-profit, with no evidence that it has funds to begin, let alone complete this project, and with no track record of public service and no tangible evidence that it even has any kind of a membership and the majority of whose Board members have never appeared before this community), the Ko'olau Loa Neighborhood Board, once having rejected it, is more than likely not inclined to revisit it unless there is a clear and convincing showing that there is new information about the project. In my view there is no new information about this project and grounds to take it up on a motion for reconsideration simply do not exist. I shall argue quite strongly to the Neighborhood Board that it should stand by the decision it reached in 2000. **And, in point of fact, since this letter is being copied to the Neighborhood Board, I am representing to them that there are no grounds for this matter to be reconsidered.**

As far as the Ka'a'awa community is concerned this project is NOT wanted here. It is dead. The time has come to so inform the Board of Land and Natural Resources. And the time has come to give it a decent burial and also to begin making other plans.

At the meeting on Tuesday evening (1/4) the WRC President and some of his supporters tried to argue that if the WRC project does not go forward there is a danger that some other project with greater impact on the immediate area might take its place. This has long been an argument used as an ill considered threat to both bludgeon and frighten the community into accepting the WRC proposal without looking at alternatives. The time has come to look at alternatives in a measured, informed and carefully reasoned way. To that end, specifically with a view to beginning an informed dialog on alternatives, I offer the following proposal in embryo for consultation between you and me and then for it to be submitted for wider discussion of a meeting of Ka'a'awa residents at an early date.

- The Ka'a'awa Community Association should take immediate steps to secure a lease for this rare piece of taxpayer owned property to be used by the community of Ka'a'awa residents now and for their successors, for generations to come;
- This 4 acre piece of property ought to be viewed as a community/public trust asset: just as beaches, mountains, access to mountains, streams and stream habitat and species in both streams and estuaries, water, are all part of the common heritage of human kind, all part of intergenerational equity: what all

of us have is a common opportunity to share, and a parallel obligation to protect, all of these resources for present and future generations;

- The people of this community ought to take proactive steps immediately to become stewards of this land to intelligently protect it and make it safe from predators who might seek to use it for private gain;
- Proposals ought to be framed on the basis of a process of full community participation¹ in coming up with a design for the use of this property which should, **at a minimum**, embrace at least some the following principles to be modified and fine tuned as a result of community deliberations
 - it should be very low to zero impact
 - kept in its present natural state as much as possible
 - such human intervention as is to occur should be towards the creation of a garden with as many native species in it as possible
 - there should be no vehicular traffic permitted on to the site except for purposes related to work on site
 - those who wish to visit and use the site should walk to it from points away from the site where vehicles will have to be parked (Swanzy Park, for example)
 - Special provision, will, of course be made for the disabled
 - the site should/must be fenced off for security and other reasons, such as liability
 - there must be a formula for “community buy-in” to provide some of the money needed for capital and recurrent expenditure
 - Additional monies needed to fund this project, after a budget and a plan are adopted, can be sought from other sources
 - the planning process shall be one based on, and derived from, community consensus with appropriate professional help as might be required (planning and design, horticultural, soils analysis and so on)

Ka'a'awa can become a model community for all of Oa'hu given patience, goodwill, a commitment to the importance of design and a willingness to harness the diverse creative energies which already exist in this community. A major problem, although it is surmountable given the investment of some effort, is for all of those of us interested in this project, to find ways to arrive at “common ground”.

None of this is likely to happen if we all sit back and wait for it to happen. Nor can any of this happen if we simply continue to have periodic “community meetings” at which we take minutes and waste hours. The opportunity that beckons to us here calls for leadership that is willing to be proactive. This means being committed to the acquisition and deployment of state of the art information that can be used to guide the development of creative policies designed to enhance community life and the creation of a sense of community. This is part of the challenge before us.

¹ The process must be open to all residents of Ka'a'awa who wish to participate; such access to participation must be unfettered.

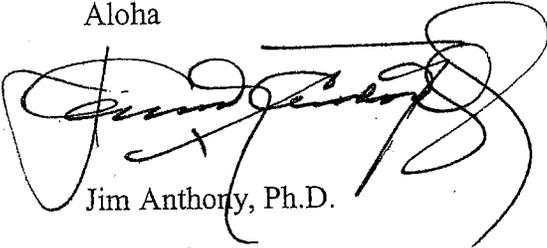
There is one final, additional important point I feel obliged to make at this juncture: I am prepared to go to the Board of Directors of the non profit of which I am Executive Director and recommend to its members that we provide up to \$25,000 in matching funds or on some other defensible, workable basis, to get this project launched. Whether or not our Board would accept my recommendation would depend on the nature of the proposal the KCA would generate. I would like to be given an opportunity to share my thoughts that arise out of this letter to as broad a range of residents as is possible at a meeting specifically called for this purpose.

I request that this letter be read in full to the meeting of residents scheduled for January 9, 2007 or for an opportunity afforded me to summarize it.

I trust, also, that the meeting this Tuesday (1/9) will be fully open to participation of all residents and that no procedural games will be invoked to limit the full participation of all who attend the meeting.

Your attention to this letter is appreciated.

Aloha



Jim Anthony, Ph.D.

cc: All members of the Neighborhood Board

✓ Mr. Peter Young, Chair, Board of Land & Natural Resources and all members
of the Board

Ka'a'awa Residents' Working Group
Counsel

WINDWARD RETREAT CENTER
51-019 LAU PLACE
KA'A'AWA, HAWAI'I 96730

RECEIVED
LAND DIVISION

2007 JAN 11 P 3:32

DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII

January 8, 2007

Reb Bellinger
President
Ka'a'awa Community Association
Ka'a'awa, Hawai'i 96730

Aloha Reb,

We would like to thank the Ka'a'awa Community Association (KCA) for providing the Windward Retreat Center (WRC) an opportunity to once again present our project to the community on January 4, 2007. The questions and comments raised by the community were very informative as it made us realize that while the discussions of the project have been shared with the community since 1993, there are many new residents and long time residents who have not heard about our project before. This meeting provided a great opportunity for the community to ask questions and for us to address them. Since not everyone could attend the meeting and we realize that this matter will be brought before the KCA and specifically the KCA board of directors on January 9, 2007, we thought we would list the issues that were raised and reiterate our responses for the benefit of all.

1. Who have you spoken to and when and what notices were provided to the community?
 - We have made several presentations to the KCA in December 1993, September 2000, December 2005, and December 2006. Our recollection is that notices were posted on the community notice board at the Ka'a'awa Post Office.
 - We have made presentations to the Ko'olauloa Neighborhood Board in May 1994 and February 2001. Under the sunshine laws, the KNB notices are posted in advance of the meetings.
 - Over the past several years Brett Pruitt and I have talked to the adjoining neighbors and others. More recently on January 2 and 6, Brett and I again walked the community explaining. We realize that we were not able to talk with all the surrounding neighbors and had hoped that by word of mouth and through the regular KCA and KNB meetings the community would be informed of the project. We apologize if we did not contact all the neighbors but we've tried our best and will continue to reach out to keep the community informed of the project.
 - While there were concerns that the KCA does not represent the Ka'a'awa community, the WRC has been asked by both the KNB and the Land Board to consult with the

KCA. Our community outreach has not been limited to only KCA members but also to the properties adjacent to the WRC site.

2. Questions were raised about WRC's position on the sale of the state road remnants to the adjoining land owners as well as whether the WRC would join the road association?

- The WRC continues to stand by its previous position to support the KBOA's effort to negotiate the sale of the road remnants from the state. In fact, the draft state lease specifically permits DLNR to withdraw the road remnant parcels from our lease and we have no objection.
- The WRC is more than willing to become a member of the KBOA if permitted and have offered to pay twice the amount of dues.

3. Why is WRC paying such a low rent?

- The issue of the amount of lease payments is set by the Board of Land and Natural Resources.
- As submitted by DLNR staff, the lease is being issued to WRC under Hawaii Revised Statutes, Section 171-43.1 (lease to eleemosynary organization), and may be negotiated without recourse to public auction.
- The WRC was willing to pay a higher lease rent but the Land Board changed its policy, pursuant to consultation with the Attorney General's office, and reduced the lease rent to be consistent with other lease rents paid by eleemosynary organizations. This was confirmed by Charlene Unoki, Administrative Assistant for the Land Division with DLNR who was present at the January 4, 2007, meeting.
- The low lease rent permits the WRC to devote its limited funds to programs.

4. Who are the WRC Board of Directors and what is their contact information?

- As stated at the KCA meeting, the Board consists of Robert Stauffer, President, James Whaley, Vice President, George Davis, Jr., Secretary, and John Rozett, Treasurer.
- Due to personal reasons, the board members have asked that all contact information be through the WRC address at WRC, P.O. Box 37247, Honolulu, Hawai'i 96837.

5. What are the activities being proposed on the site and what is the WRC's track record for conducting these programs?

- Consistent with our plans since 1993 and noted on our fact sheet, there will be quiet activities that promote education, contemplation, and meditation, involving educational forums, symposiums, and retreats, such as peace seminars, yoga or meditation classes, executive retreats, educational retreats, and seminars.
- The WRC will also be available for the community's use.
- Other programs that were mentioned at last week's meeting which we will consider are classes on nutrition and health.

- While the WRC has not specifically conducted any of these activities, these types of activities are very typical of retreat centers sponsored by other Quaker organizations.
 - Contrary to recent "talk in the community" the WRC will not be a place for a child-care center, affordable public housing, private housing, elderly housing center, or a drug-rehab center as these are not consistent with our commitment to the community to provide for quiet activities with minimal impacts to the community.
 - Contrary to some public concerns, at this time the WRC will not be operating a camp site.
6. Why are there only a few parking spaces on the site?
- Based upon previous community concerns related to parking on site and off-site, the WRC committed to the community that all parking requirements shall conform to the minimum standards of the City and County of Honolulu.
 - Therefore, although the WRC's initial plans in 1993 included more parking, the WRC agreed to the limited parking based upon the community concerns, in particular the neighboring properties.
7. Where is the financing coming for this project?
- The WRC Board of Directors has provided personal commitments to finance the construction costs of over \$300,000 because they personally believe in the merits of the WRC.
 - They have also secured a loan commitment for the construction costs.
 - Program costs will be financed by grants, donations, and program fees.
 - There will be no commercial activities on the site.

Again, thank you for these opportunities recently, and over the years, to present the project and answer questions that the community may have related to the WRC. We also appreciated the invitation and attendance to Charlene Unoki of the DLNR who attended last week's meeting and answered questions related to the state lease. We will be in attendance at the January 9 KCA Board meeting and the KNB meeting scheduled for January 11, 2007. Should you have any questions, please do not hesitate to contact me or Brett Pruitt, the Board authorized representative.

Sincerely,



Bob Stauffer
Windward Retreat Center President

C: Charlene Unoki, DLNR ✓
KCA Board members
KCA (distributed at the community meeting of January 9, 2007 meeting).

57701

RECEIVED
LANE DIVISION

RECEIVED

January 9, 2007

2007 JAN 10 10:12

'07 JAN 17 10:55

DEPT. OF
NATURAL
STATE

DEPT. OF LAND
& NATURAL RESOURCES
STATE OF HAWAII

Peter Young
Chairman
Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii 96813

Dear Chairman Young,

I was raised in Ka'a'awa, have lived here most of my life, and am perhaps the longest-living member of the Ka'a'awa community. My family and I have supported the Windward Retreat Center's plans since they were initiated in 1993. Bob Stauffer, the Center's president, is a past president of the Community Association and carefully consulted with the site's adjoining neighbors and others in the community. The matter was investigated by a committee headed by Herb Wilson in 1993-1994, several conditions were worked out and accepted by the Center, and the Community Association members voted unanimously in support of the project in early 1994.

I am aware that some people are trying to stop this worthy project. Like a great many members of the community, I choose not to attend Community Association meetings because these opponents are disruptive and impolite.

My sister, the past principal of Ka'a'awa Elementary School, talked to me just a few days ago and commented that this project has to move forward and should have been completed long ago. I agree.

Thank you.

Sincerely yours,

Frances H. Padeken

Frances Padeken

*Frances Padeken
P.O. Box 532
Ka'a'awa, HI. 96730*

Date: January 10, 2007

To: Koolauloa Neighborhood Board #28

From: Ian Lind
PO Box 600
Kaaawa, Hawaii

Re: Windward Retreat Center

Thank you for the opportunity to submit this written testimony in strong support of the Windward Retreat Center project, which will be considered under New Business at your regular meeting of January 11, 2007.

My wife and I have lived immediately adjacent to the property in question for a few months less than 19 years, and as a result we have paid very close attention to details of the proposed project and its predecessors.

I am in strong support for the following reasons:

- a) The proposed retreat center is a low density and low impact use of the property which will protect it from intensive development for decades, preserving what is on of the last open areas on this side of Kaaawa.
- b) The sponsors have been extraordinarily willing to modify their plans in order to accommodate the concerns of the community and to incorporate conditions and limitations suggested by the community.
- c) The retreat center will provide a place where community meetings of different kinds can be held without charge, and will therefore encourage community interactions and community development. This is a substantial benefit to the community.

As you are aware, the newly reformed Kaaawa Community Association board of directors voted 3-2 last night to oppose the retreat center. However, you should be aware that two prior open votes of the former community association endorsed the project.

In addition, in recent months substantial misinformation has been spread through Kaaawa by a few vocal opponents of the project, including the false rumor that the property was going to be used for a drug rehabilitation center. At last night's community association meeting, a Kaaawa resident asked whether the drug rehabilitation clients would be court-ordered or enrolled voluntarily. The question reflects clearly false information as *there is no drug rehab center and could not be under the terms of the proposed state lease*. But this false rumor set a number of newly concerned residents against the project. Unfortunately, the association president cut off discussion and did not allow the false information to be corrected before an informal straw vote of those present was taken.

~~I was also a member of a committee assigned by the community association in 2005 to review~~
the project in detail and make recommendations for action. At that time, the retreat center
sponsors agreed to a series of additional restrictions in response to community concerns.

A copy of my notes from these deliberations are attached for additional background.

TO: Representative Meyer
FROM: Nancy B. Morgan
RE: Windward Retreat Center

My name is Nancy Morgan and I have been a resident of Ka`a`awa for 22 years. My grandparents bought land in Ka'a'awa in the 1950's so I have been in Ka'a'awa my whole life, the past 22 years as a resident. I am writing this letter because the Ko'olauloa Neighborhood board will be dealing with the issue of the Windward Retreat Center at its meeting on January 11.

I do not feel that the meeting last night of the Ka'a'awa Community Association gives an accurate view of the views of the Ka'a'awa community as a whole. The community has voted twice in previous years in favor of this proposal and ALL conditions that the community have suggested have been incorporated into the current plan, including:

50 foot setbacks from property line Provide for no commercial use of the property
Limit parking stalls to 6 to limit traffic Allow no on street parking for people
using the site Limit to 45 the number of people on site at any time No outside
lighting 2 relatively small structures on the 3.5 acres not exceeding 18 feet in
height An onsite caretaker to provide security for the site.

Much disinformation has been circulating in the community in recent weeks including that the property would be used for drug rehabilitation. Understandably, many people who were given this disinformation were opposed to the project. At the meeting last night, NO information was shared about the project, there had been an informational meeting on 1/4, but many of the people who attended last night's meeting did not attend. There were also people in attendance whose votes were counted in the straw poll, but do not live in Ka'a'awa, so those votes do not reflect the opinion of Ka'a'awa residents.

Unfortunately I can not attend the neighborhood board meeting in person due to a previous engagement.

I respectfully request that you support this project which will be a value to the Ka'a'awa community for years to come.

Sincerely,
Nancy B. Morgan
PO Box 179
Ka'a'awa, HI 96730

January 10, 2007

TO: Members of Ko`olauloa NB#28

FR: Kathy Waracka

RE: The Windward Retreat Center

My name is Kathy Waracka and I have been a resident of Ka`a`awa for 17 years. I am writing this letter because I am aware that the NB will be dealing with the issue of the Windward Retreat Center at its meeting this evening (January 11, 2007). The official report will be that the Kaaawa (proper spelling Ka`a`awa) Community Association board voted 3 to 2 against the project. I feel the need to clarify from my point of view the history of this project and to ask that the Neighborhood Board allow their prior positions in support of this project to stand and be reaffirmed. In support of this request I make the following points:

- The previous 2 votes of the Ka`a`awa Community Association in favor were open and public votes of community members with no restrictions on who could or could not vote other than you had to reside in Ka`a`awa
- The current Community Association bylaws call for the Board of Directors to conduct all business and members once approved may only vote for the Board of Directors
- The Board held an informational meeting on the retreat on Thursday January 4, 2007. At this meeting questions were solicited and answers provided, regarding the project – a member of the audience asked that a straw poll be taken and although this was done it was not recorded. The numbers cited by people present at the meeting vary from allegations that 28 people were against and 8 for with one undecided to 12 against 11 for 1 undecided and several persons not voting.
- The Regular meeting of the Association was held on Tuesday January 9th and many in the room had been approached to sign a petition against the retreat. They were told when asked to sign this petition that the proposed use was a drug rehabilitation center. Any such petition gaining signatures through flat out lies about the use to those signing is of course not valid. When several individuals that had signed the petition were told that the project was a low-density retreat they changed their minds. In fact two persons at the meeting speaking against originally changed to say they really needed more information and were not necessarily against the project. Those speaking at the meeting included 2 against, 2 needing more information and 6 speaking in favor including 2 adjacent landowners – no adjacent landowners spoke against. A straw poll was again taken of everyone in the room regardless of whether they lived in Ka`a`awa or not. The poll was 19 against, 12 for and 5 undecided with several not voting. The closeness of this vote coupled with two previous votes of support by the full community should certainly give pause to the Neighborhood Board when it considers reversing its previous support for the project.

- After the straw poll the Board voted with 2 voting in favor, 2 voting against expressing concern that this may not be the best use for the property and that other community based uses should be explored and one voting firmly against for a final vote of 3 against and 2 for. Again a very close vote.

I firmly believe that this is the best use for the property based on the willingness of the Windward Retreat Center to work with the community as evidenced by their agreements to:

- Provide 50 foot setbacks from neighboring properties
- Provide for no commercial uses
- Limit to 45 the number of people on site at any time
- Provide only 2 structures on the 4 acres not exceeding 30 feet in height
- Provide for a community advisory committee

I respectfully request that the Neighborhood Board not overturn two previous community votes and continue its support for this project.

Thursday, January 11, 2007

Members of the Neighborhood Board, Ko'olauloa

Subject: PROPOSED WINDWARD RETREAT CENTER, KA'A'AWA

This past week residents of Ka'a'awa met in public meetings and voted twice on this matter. On each of these two occasions a clear majority of members of the Ka'a'awa community voted **AGAINST** having this proposed project in Ka'a'awa.

This past Tuesday, two days ago, the Board of Directors of the Ka'a'awa Community Association also voted **AGAINST** this project by 4 votes to 2.

Close to 70 residents of Ka'a'awa have signed petitions saying that they are **OPPOSED** to this proposed project. More petitioners are being solicited.

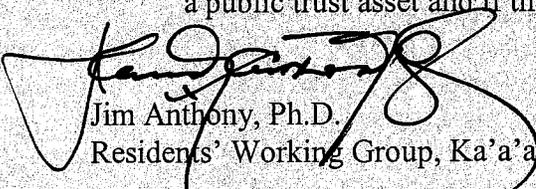
THERE IS ONLY ONE CONCLUSION THAT CAN BE DRAWN FROM THE MEETINGS, THE VOTES TAKEN, THE PETITIONS SIGNED: THE PEOPLE OF KA'A'AWA DO NOT WANT THIS PROJECT IN THEIR COMMUNITY.

In October 2000 this Neighborhood Board voted **AGAINST** this project. It is now back before you again.

This time you have a clear and strong vote **AGAINST** this project by the people of Ka'a'awa plus the weight of some 70 resident petitioners who have said in writing that they oppose this project.

It has long been the practice of this Neighborhood Board to support the will of communities clearly expressed. We ask you to support the clearly expressed will of the residents of Ka'a'awa by **REJECTING this project.**

- An alternative approach to the use of this rare four acre piece of taxpayer owned land has been proposed and is under consideration. That alternative is for the people of Ka'a'awa to become stewards of this land and preserve it as open space, a garden with native species perhaps—low to zero impact, treat the land as a public trust asset and preserve and protect it for this and future generations. To this end the Ka'a'awa Community Association ("KCA") has already been offered the prospect of up to \$25,000 in a 'matching funds' grant subject to consideration and approval by the Board of Directors of the donor non-profit if it (the KCA) will come up with an acceptable plan to preserve and protect this special place as a public trust asset and if the plan, in turn, is approved by the Land Board.


Jim Anthony, Ph.D.
Residents' Working Group, Ka'a'awa

publictrustassetland.011107

DEPARTMENT OF LAND & NATURAL RESOURCES
STATE OF HAWAII

2007 JAN 11 P 1:49

RECEIVED
LAND DIVISION

58022



KOOLAULOA NEIGHBORHOOD BOARD NO. 28

c/o NEIGHBORHOOD COMMISSION • 530 SOUTH KING STREET ROOM 400 • HONOLULU, HAWAII, 96813
PHONE (808) 527-5749 • FAX (808) 527-5760 • INTERNET: <http://www.honolulu.gov>

RECEIVED
'07 FEB 20 11:23
DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII

January 17, 2007

TO: Chair Peter Young and members of the Board of Land and Natural Resources

FR: Dee Dee Letts, Chair Ko`olau Loa Neighborhood Board

RE: Windward Retreat Center

This is to inform you that at the Board's regular meeting of January 11, 2007 the Board had a presentation by the Windward Retreat Center and received testimony from the Reb Bellinger President of the Ka`a`awa Community Association as well as other members of the community regarding the Windward Retreat Center. Mr. Bellinger relayed to the Neighborhood Board that the Community Association Board after taking a straw poll of persons attending a community meeting had voted 3 to 2 to change its previous position of support to one of non-support for the project. The Board also heard from 5 other community members in opposition to the retreat. One community member testified in support and two letters were received in support. The Board voted 6 in favor, and 2 abstentions to support the Community Association in its request to move from support to non-support of the Windward Retreat Center.

This letter is notification to the Board of Land and Natural Resources that the Ko`olau Loa Neighborhood Board supports the Community Association's position in opposition to this project.

RECEIVED
LAND DIVISION
2007 FEB 21 11:10:25
DEPT. OF LAND & NATURAL RESOURCES
STATE OF HAWAII

Cc: Reb Bellinger
Charlene Unoki
Dawn Chang



January 11, 2007

DLNR, To Whom May Concern,

Regarding the proposed Windward Retreat Center

Tuesday January 9th 2006, I attended the Kaaawa Community Association meeting where we took a vote either for or against Windward Retreat Center. The meeting was very biased and unfair. That morning, Willie, the main opposition to the project stood outside the Post Office telling people that there was a Half-Way-House planned for the site, and urged people to attend the meeting, and sign a petition against the project. His friend Gus told everyone that a Drug Rehab was planned for the site.

Willie and Gus brought a large group to vote against approval of the Windward Retreat Center proposition. Numbering about a dozen, they made up a majority of votes. One of their group held up his right hand to be counted, and leaned and raised his left hand behind a woman sitting next to him to be counted also opposing. I was told also that a woman that did not speak English well was urged to raise her hand also opposing. If it was not for this one group, the majority would have voted in favor of Windward Retreat.

Please disregard the Kaaawa Association vote, as it was biased and very unfair. One Kaaawa Board Member did not attend, and another had vowed to go along with the majority in attendance.

I have been a resident of Kaaawa for over 20 years, and sincerely feel most Kaaawa residents will welcome Windward Retreat Center into the neighborhood.

Sincerely, a concerned Kaaawa resident.

57801

KA'A'AWA COMMUNITY ASSOCIATION
P.O. BOX 33
KA'A'AWA, HAWAII 96730

RECEIVED
07 JAN 31 PM 2:17

DEPT OF LAND
& NATURAL RESOURCES
STATE OF HAWAII

January 25, 2007

Mr. Peter Young
State of Hawaii
Department of Land & Natural Resources
Kalanimoku Bldg.
1151 Punchbowl St.
Honolulu, Hawaii 96813

RECEIVED
LAND DIVISION
2007 JAN 31 A 8:21
Feb 1

RE: Proposed Windward Retreat Center for Ka'a'awa

Dear Mr. Young,

The Windward Retreat Center proposed for Ka'a'awa has been a controversial issue confronting our community for many years and remains that way. The Ka'a'awa Community Association is charged with the responsibility of addressing the pros and cons of this project and to make a decision as to whether or not it will support the project. At the January 9, 2007 and after months of careful deliberation, the Ka'a'awa Community Association (KCA) has made its decision not to support this project.

First of all, some background. In 2005, the Ka'a'awa Community Association was re-organized and a new set of By-Laws were established. The officers and directors of the KCA have made every effort to maintain transparency, openness and democracy in its operations and how it deals with issues facing the community. Meetings are announced by notices on the bulletin board at the Post Office, by a large banner exhibited at the Elementary School, via the internet on the Ka'a'awa News webpage (www.kaaawa.news) and via email. Copies of the Articles of Incorporation, By-Laws, Membership forms, etc. are all made available via the webpage so that anyone can access them and print their own copies.

The officers and directors are elected by the community and charged with the responsibility of evaluating issues before the community, seeking input, pros and cons, on issues, and ultimately making decisions on whether to support or not support an issue.

In the case of the Windward Retreat Center, the KCA provided numerous opportunities for the community to become informed on the issue, including several community information meetings, the latest of which was held January 4, 2007. At that meeting, members of the Windward Retreat Center were offered the opportunity to address the community, provide details on its operation and to answer any questions that residents might wish to ask. This was extremely important because some information was circulated in the community about the project that was simply untrue. It was only fair to provide an open forum where the Windward Retreat Center officials could inform the community about their project and to directly address any misconceptions or falsehoods that were being spread. At this meeting a straw poll was taken and the majority of those residents present voted against the project.

All meetings were conducted in a fair and open manner and supporters and non-supporters have expressed their opinions that everyone was treated equally and respectfully.

On January 9, 2007, the KCA held a regular community meeting with one of the agenda topics being to vote on the Windward Retreat Issue. Prior to the vote, opportunities were made available to make any last summary comments as to why the project should be supported or not supported. A straw vote of those present was taken and a majority voted against the project.

It's important to note that very clear and concise guidelines were provided on the voting process. It was made very clear that the final vote was to be made by the KCA officers and directors of the KCA board in compliance with the corporation's bylaws. Five of six members of the board were in attendance. Each member had to stand in front of the community, make their vote known and provide a justification for their vote.

You should know that the members of the KCA board carefully weighed the pros and cons of the project and made their decision based upon what they felt was in the overall best interest of the community.

Those in support of the project argued that the issue had been before prior KCA boards and had been supported with conditions and that support should continue; that it would have minimal impact on open space; there would be low density impact on the community; it avoided the potential for a land swap that would result in possible "high end" development that would drive property taxes higher; and that the community would benefit from the proposed programs.

Those not supporting the project argued the following: there could be a higher and better use of the property for the Ka`a`awa community and that a needs assessment should be done to determine what the higher and better use might be; State land should not be tied up for 35 years by what appears to be a small self serving group; the WRC has no track

record in providing the proposed services or operating such a center; that since its organization in 1993, WRC had made no attempts to develop programs or provide services of any type; the main objective of WRC appears to be securing the land in question and not providing the programs and/or services they were espousing; the proposed project seems to benefit only a very few people, most of whom are not members of the Ka`a`awa community; since there was no affiliation with any other organization, there was no transition plan for WRC over time; there was no significant benefit to the greater Ka`a`awa community.

The vote by the Ka`a`awa Community Association's Board of Directors was 3 to 2 against the project.

A petition was also circulated throughout the community by residents who did not support the project. To date, over 70 Ka`a`awa residents have signed the petition against the WRC proposed project. Signatures continue to be gathered and a copy of this petition will be forwarded at a future date.

On Thursday, January 11, 2007, the WRC issue came before Neighborhood Board #28. After listening to pros and cons on the WRC issue, the Neighborhood Board voted 7-0 in support of the Ka`a`awa community's opposition to the project. There was 1 abstention. It was later reported, however, that an error in the count was made and that the recorded vote was 6-0 to support the Ka`a`awa community's opposition to the project with 2 abstaining. Regardless, it was clear that there was no support for the WRC project.

Since the Ka`a`awa community is the area most affected by the Windward Retreat Center and that the decision of the Ka`a`awa Community Association and the Neighborhood Board is not to support the Windward Retreat Project, the Ka`a`awa Community Association requests that the Board of Land and Natural Resources honor these mandates from the community and rescind its prior intention to issue a lease to the Windward Retreat Center.

Should the BLNR officially decides not to issue the lease to the Windward Retreat Center, an immediate dialog between DLNR and the community should commence to explore usage options for that property that would be acceptable and beneficial to the broader Ka`a`awa community.

Sincerely,



Reb Bellinger
President

cc: Neighborhood Board #28
Representative Colleen Meyer
Senator Clayton Hee

57804

January 29, 2007

Peter Young, Chair and members Board of Land and Natural Resources

I am sending you this letter in support of the lease to the Windward Retreat Center. I have lived in Ka'a'awa for 37 years and have been a member or officer of the Ka'a'awa Community Association (KCA) for most of those years.

I was a member of the KCA during the prior votes in favor and worked on several committees over the years to craft the agreements between the community and the applicants resulting in the current conditions. The community over the years has consistently felt that this is a worthwhile project for the community. The applicant has proceeded in good faith based on those two previous votes to this point. The BLNR requested that they go back to the KCA and present their project and this requirement has resulted in a vote of 3 to 2 against the project proceeding. Obviously this is a very close vote.

I know that other members of the community have sent you specific reasons in support of the project i.e. 50 foot setbacks, low density, community advisory group etc.

In closing I reiterate my support for the lease to the Windward Retreat Center. I believe that this project would be a good neighbor to the entire community.

Sincerely,



Dee Dee Letts
Ka'a'awa Resident

DEPT OF LAND
& NATURAL RESOURCES
STATE OF HAWAII

07 JAN 31 PM 2:18

RECEIVED

DEPT OF LAND
& NATURAL RESOURCES
STATE OF HAWAII

2007 JAN 31 8:27

Feb 1

RECEIVED
LAND DIVISION