

COUNTY COUNCIL
COUNTY OF KAUAI

Resolution No. 2003-28

RESOLUTION REQUESTING THAT ALL COUNTY DEPARTMENTS, AGENCIES, OFFICIALS, THE VISITOR INDUSTRY, ALL TRAVEL WRITERS, AND RESIDENTS USE MACRONS AND GLOTTAL STOPS IN THE SPELLING OF HAWAIIAN WORDS AND TERMS AND THAT ALL HAWAIIAN PLACE NAMES BE USED IN DESCRIBING PLACES ON KAUA'I THAT HAVE SUCH NAMES

WHEREAS, by law, there are two official languages in this State: English and Hawaiian; and

WHEREAS, the orthography developed by scholars at the University of Hawai'i includes the use of macrons (kahakō) and glottal stops (ʻokina) in the spelling of the Hawaiian language; and

WHEREAS, these symbols are commonly used in local publications and by the counties in signs for streets with Hawaiian names; and

WHEREAS, the inclusion of these symbols has a broader purpose than simply aiding the pronunciation of Hawaiian terms. The glottal stop is a consonant in the Hawaiian language and leaving it out changes the meaning of a word; and

WHEREAS, written documents that properly spell Hawaiian words with the appropriate macrons and glottal stops aid in the correct pronunciation of those words and can help to preserve the Hawaiian language and the culture of the people of this State, thereby preserving the uniqueness of our State and County; and

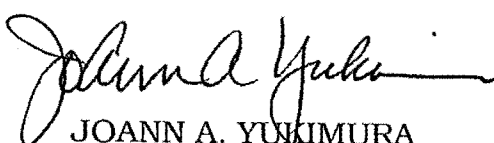
WHEREAS, use of Hawaiian place names will also preserve Kaua'i's culture and uniqueness, besides providing valuable information about the respective places and enriching our sense of place; and

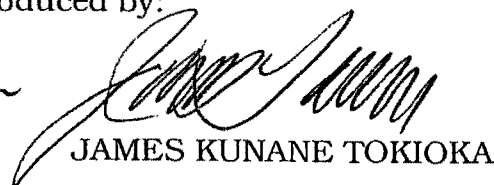
WHEREAS, one of the Council's goals is respect for the host culture; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAII, that it requests all County departments, agencies, and officials, the visitor industry, travel writers, and residents to use macrons and glottal stops in the spelling of Hawaiian words and terms and that all Hawaiian place names be used in describing places on Kaua'i that have such names.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to Bryan J. Baptiste, Mayor, County of Kaua'i, for distribution to all county departments, and to the Kaua'i Visitors Bureau, the Kaua'i Economic Development Board, the Kaua'i Chamber of Commerce and all media.

Co-Introduced by:


JOANN A. YUKIMURA


JAMES KUNANE TOKIOKA

	Yes	No	Exc
Asing	x		
Furfaro	x		
Kaneshiro	x		
Munechika	x		
Rapozo			x
Tokioka	x		
Yukimura	x		
Total	6	0	1

Certificate Of Adoption

We hereby certify that Resolution No. 2003-28
 was adopted by the Council of the County of Kauai, State of Hawaii,
 Lihue, Kauai, Hawaii, on June 26, 2003. "

[Signature]
 County Clerk
 Dated 6/27/2003

[Signature]
 Chairman & Presiding Officer

COUNTY COUNCIL
COUNTY OF KAUA'I

Resolution No. 2003-42

**RESOLUTION SUPPORTING H.R. 2619, THE KĪLAUEA POINT
NATIONAL WILDLIFE REFUGE EXPANSION ACT OF 2003**

WHEREAS, U.S. Congressman Ed Case, Hawai'i Second Congressional District, has recently introduced H.R. 2619, also known as the Kilauea Point National Wildlife Refuge Expansion Act of 2003, before the 108th U.S. Congress, 1st Session; and

WHEREAS, the Kilauea Point National Wildlife Refuge ("Refuge"), established on February 15, 1985, as the 425th Refuge in the National Wildlife Refuge System, currently encompasses 203 acres; and

WHEREAS, the Refuge is one of the most important seabird nesting sites in the entire Hawaiian Islands; and

WHEREAS, outstanding management efforts at the Refuge include opening up and maintaining nesting habitats for various native seabird colonies such as Laysan albatrosses, Pacific golden plovers, red-footed boobies, brown boobies, red-tailed tropicbirds, wedge-tailed shearwaters, newly-discovered Newell's shearwaters and great frigatebirds as well as a serving as a reintroduction site for our endangered Hawai'i State Bird, the nēnē, as part of a statewide species recovery program; and

WHEREAS, the Hawaiian Humpback whale, Hawaiian monk seal, turtles and spinner dolphins may also be observed in the waters of the Pacific Ocean from the vantage point of the Refuge's unique location; and

WHEREAS, the Refuge's protective environs also function as an expanding native and endangered plant reintroduction resource for Native Hawaiian coastal plants such as naupaka, 'ilima, hala, 'āheahea, 'akoko, and others to the point where many have been restored on the refuge and, in addition, is home to an endangered plant restoration program that gives species such as the rare ālula (found only on Moloka'i and Kaua'i) a chance to survive on Kilauea Point's protected and managed environment; and

WHEREAS, H.R. 2619 seeks to expand this invaluable area by an estimated area of 219 additional acres located on three (3) adjoining parcels that are currently available for purchase; and

WHEREAS, this proposed expansion area would increase the diversity of valuable habitat areas for Hawaiian waterbirds such as the Kōloa duck, Hawaiian coot, Hawaiian stilt and Hawaiian moorhen; and

WHEREAS, part of the proposed expansion area also includes both lo'i kalo and an estuarine ecosystem at the lower reaches of the Kilauea Stream; and

WHEREAS, the Refuge averages approximately 300,000 visitors a year, attesting to its quality as a vital visitor and resident attraction; and

WHEREAS, the Refuge also provides indispensable environmental education opportunities for students young and old; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII, that it strongly supports the intent of H.R. 2619 and the efforts of Congressman Case to expand the boundaries of the Kilauea Point National Wildlife Refuge.

BE IT FURTHER RESOLVED that all efforts be made to maintain and enhance traditional public beach access to the proposed expansion area in a manner compatible with and sensitive to the mission of the Refuge.

BE IT FINALLY RESOLVED that copies of this resolution be transmitted to U.S. Congressman Ed Case and the Hawai'i Congressional delegation, the U.S. Department of the Interior - U.S. Fish and Wildlife Service, the Kilauea Point National Wildlife Refuge, and the Kilauea Neighborhood Association.

Introduced by:

Bill "Kaipo" Asing
 BILL "KAIPO" ASING

[Signature]
 JAMES KUNANE TOKIOKA

[Signature]
 JAY FURFARO

[Signature]
 DARYL W. KANESHIRO

[Signature]
 MAURICE "JOE" MUNECHIKA

[Signature]
 MEL RAPOZO

[Signature]
 JOANN A. YUKIMURA

	Aye	Nay	Exc
Asing	X		
Furfaro	X		
Kaneshiro	X		
Munechika	X		
Rapozo	X		
Tokioka	X		
Yukimura	X		
Total	7	0	0

Certificate Of Adoption

We hereby certify that Resolution No. 2003-42 was adopted by the Council of the County of Kauai, State of Hawaii, Lihue, Kauai, Hawaii, on September 25, 2003.

[Signature]
 County Clerk
 Dated 9/26/2003

[Signature]
 Chairman & Presiding Officer

COUNTY COUNCIL

COUNTY OF KAUA'I

Resolution

No. 2004-42

**RESOLUTION AUTHORIZING A PERFORMANCE AUDIT OF THE
KĪLAUEA GYMNASIUM PROJECT, BUILDING DIVISION, DEPARTMENT
OF PUBLIC WORKS, PURSUANT TO SECTION 3.12(B), CHARTER**

WHEREAS, Section 3.12(B) of the County Charter authorizes the County Council to conduct performance audits of programs managed by the County Administration; and

WHEREAS, Ordinance No. B-2004-621 relating to the FY 2004-2005 Operating Budget appropriates \$100,000 for conducting performance audits; and

WHEREAS, the County of Kaua'i has experienced numerous and extensive delays in the resolution of the Kilauea gymnasium roof leaks which has been the subject of ongoing discussions; now therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUA'I:

SECTION 1. Authorization. Pursuant to Section 3.12(B), Charter, the Council of the County of Kaua'i hereby authorizes the contracting of a private, independent auditor with qualifications and experience in conducting performance audits in order to facilitate an objective and systematic examination of the practices, policies, and performance on facilities construction of the Kilauea Gymnasium Project, Building Division, Department of Public Works, for the purpose of providing an independent assessment of the performance of said government project and operation in order to provide information to improve public accountability and facilitate decision-making by parties with responsibility to oversee or initiate corrective action, which shall be administered by the Office of the County Clerk.

SECTION 2. Process. The Auditor shall be selected through the "Request For Qualifications" ("RFQ") process pursuant to Sec. 103D-304, H.R.S. and Sec. 3-122-63, et seq., H.A.R., or by means of an intergovernmental agreement.

1. There is hereby established an initial review committee which shall consist of a minimum of three persons with sufficient education, training, and licenses or credentials for the professional service required for the performance audit. In addition to the three committee members, a Purchasing Division representative shall serve on the committee to advise and assist the initial review committee as to compliance with procurement laws. The Purchasing Division representative shall have no voting rights.

2. The initial review committee shall formulate evaluation criteria, which shall be used to determine the qualifications necessary for placement on the list of qualified consultants. The criteria shall be submitted to the Division of Purchasing prior to review of any resume.

3. There is further established a screening committee which shall consist of at least three persons with sufficient education, training, and licenses or credentials in the area of the professional service required for the performance audit to evaluate the qualifications and performance data of those consultants listed by the initial review committee. The screening committee shall establish selection criteria and conduct a review of the resumes in accordance with the criteria, along with any other pertinent information. In addition to the three committee members, a Purchasing Division representative shall serve on the committee to supervise the committee's activities. The Purchasing Division representative shall have no voting rights.

4. The three members on the initial review committee and screening committee shall consist of Bill "Kaipo" Asing, Council Chair (and chair of the initial review committee and screening committee), James Kunane Tokioka, Chair, Parks & Public Works Committee, and Jay Furfaro, Chair, Economic Development Committee.

5. The screening committee may conduct confidential discussions with any person included on the list compiled by the initial review committee.

6. The screening committee shall compile a list of a minimum of three (3) most qualified consultants together with a summary of their qualifications.

7. The Council Chair or his designee, under the supervision of the Purchasing Division, shall confidentially negotiate a fair and reasonable contract with the highest-ranked consultant. If negotiations with the highest-ranked consultant fail, negotiations with that consultant shall be terminated and negotiations with the second, then, if necessary, third-ranked consultant, shall be commenced.

8. The Council Chair shall designate the officer-in-charge of the private, independent auditor. The officer-in-charge will keep Councilmembers informed of the performance audit.

9. Should an auditor be selected pursuant to an intergovernmental agreement process, the County Clerk shall proceed to initiate the agreement.

SECTION 3. Preliminary Scope of Work:

The overall purpose of the performance audit is to facilitate an objective and systematic examination of the Kīlauea Gymnasium Project, including the practices, policies, and performance of the Building Division, Department of Public Works, for the purpose of providing an independent assessment of the said government project in order to provide information to improve public accountability and facilitate decision-making by parties with responsibility to oversee and initiate corrective action, pursuant to Generally Accepted Government Auditing Standards (GAGAS).

The dominant theme to be addressed within the performance audit is to evaluate the overall contract and construction management of the Kīlauea Gymnasium Project and to make recommendations to improve the process.

The following questions should be addressed within the general scope of this performance audit.

1. Did the Building Division follow proper procedures for the selection of the contractor for the Kīlauea Gymnasium Project, i.e., was the contractor qualified to install the roofing material?

2. Was the construction management and inspection utilized for this project sufficient to ensure compliance and quality workmanship in accordance with the contract specifications?

3. Was the design standards and plans used for this project in compliance with construction and building codes?

4. Is the Building Division adequately staffed to manage and inspect the construction of the Kilauea Gymnasium Project?

5. Did the Building Division use its resources economically and effectively to monitor and inspect the Kilauea Gymnasium Project?

6. Was the process by which the contractor received payment in compliance with the contract?

The performance audit will include but not be limited to the consideration of the following items during the process of conducting the performance audit: staffing and equipment needs, project management, private vendor contract solicitation, private vendor contract management, project performance verification (Is the construction material being used by the contractor as per the contract specification).

The performance audit shall include a final written report which shall be filed with the County Clerk, that will include its recommendations and findings. Said performance audit final report shall be made available to the Administration and be public record, subject to applicable laws. The Council shall not be compelled to fund, but shall consider, any subsequent requests by the Administration to adopt any portion of said audit recommendations and approve or disapprove said requests as it deems appropriate and in the best interest of the public.

SECTION 4. Modifications. Notwithstanding any other provision to the contrary, the Council may make changes to the Preliminary Scope of Work prior to negotiating a contract with a private or intergovernmental auditing firm, and to any other provisions herein, provided Councilmembers concur in writing to such modifications.

SECTION 5. Copies of this Resolution shall be transmitted to Bryan J. Baptiste, Mayor, Ladye Martin, Deputy County Engineer, and Lani Nakazawa, County Attorney.

SECTION 6. This Resolution shall take effect upon its approval.

Introduced by:

Bill "Kaipo" Asing
Bill "Kaipo" Asing

Joe Furfaro
Joe Furfaro

Daryl W. Kaneshiro
Daryl W. Kaneshiro

Maurice "Joe" Munechika
Maurice "Joe" Munechika

Mel Rapozo
Mel Rapozo

James Kunane Tokioka
James Kunane Tokioka

JoAnn A. Yukimura
JoAnn A. Yukimura

	Yes	May	Exc
Asing	X		
Furfaro	X		
Kaneshiro	X		
Munechika	X		
Rapozo	X		
Tokioka	X		
Yukimura	X		
Total	7	0	0

Certificate Of Adoption

We hereby certify that Resolution No. 2004-42
was adopted by the Council of the County of Kauai, State of Hawaii,
Lihue, Kauai, Hawaii, on **August 18, 2004.**

R.A.N.
County Clerk
Dated 8/19/2004

Bill "Kaipo" Asing
Chairman & Presiding Officer

COUNTY COUNCIL
COUNTY OF KAUA'I

Resolution

No. 2005-37

**RESOLUTION SUPPORTING THE ERADICATION
OF COQUI FROGS ON KAUA'I**

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUA'I,
STATE OF HAWAII:

WHEREAS, there is a small infestation of coqui frogs on Kaua'i which at this stage could be completely removed; and

WHEREAS, if not removed, this small population of coqui frogs could infest the entire island with widespread negative consequences to the ecosystem, economy and quality of life; and

WHEREAS, the coqui frog multiplies rapidly and it is estimated that two frogs and their descendants could produce 80,000 frogs in a short four (4) year period; and

WHEREAS, the male coqui frogs call at a decibel of 90-100, creating a disturbance to residents and visitors alike; and

WHEREAS, coqui frogs pose a threat to the island's native-bird population because both are insect-eaters and a coqui frog invasion on Kaua'i could result in extinction for certain native-bird population; and

WHEREAS, the frogs could have a huge impact on the island economy by affecting visitors and could change the quality of life on Kaua'i for residents; and

WHEREAS, Mayor Harry Kim has declared a state of civil emergency because of the negative impacts of the coqui frogs in the County of Hawaii; and

WHEREAS, coqui frogs are known to have caused a loss in real estate sales of approximately \$11.3 million on the Big Island and sellers are now required to divulge the presence of coqui frogs on their property; and

WHEREAS, the mayors of the counties of Hawaii and Maui are requesting large sums of funding to combat the frog problem which is already widespread in their counties; and

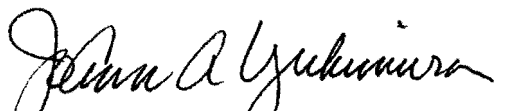
WHEREAS, Kaua'i could prevent the need for such expenditures and prevent the kinds of unwanted impacts presently being experienced on Maui and Hawaii if we address the problem immediately and effectively; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAII, that the Council fully supports all efforts to eradicate the coqui frog on Kaua'i.

BE IT FURTHER RESOLVED, that the Council urges federal and state agencies to support the efforts on Kaua'i.

BE IT FURTHER RESOLVED, that the County urges the visitor industry and all who value the unique and precious ecosystem, the limited resources, and the peace and quiet of Kaua'i to support the eradication efforts.

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to Mayor Bryan J. Baptiste, Governor Linda Lingle, Senator Daniel K. Inouye, Senator Daniel K. Akaka, Representative Ed Case, Representative Neil Abercrombie, Senator Gary Hooser, Representative Ezra Kanohe, Representative Bertha Kawakani, Representative Mina Morita, Mike Pitzler, State Director, Wildlife Service, US Department of Agriculture, Sandra Lee Kunimoto, Chairperson, State of Hawai'i Department of Agriculture, the Vacation Rental Managers Association, the Kauai Visitors Bureau, and the Hawai'i Hotel and Lodging Association Kaua'i Chapter.


Introduced by: 
 JOANN A. YUKIMURA

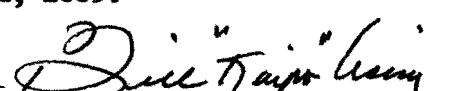

 JAY FURFARO

	Aye	Nay	Exc
Asing	X		
Furfaro	X		
Iseri-Carralho	X		
Kaneshiro	X		
Rapozo	X		
Takioka	X		
Yukimura	X		
Total	7	0	0

Certificate Of Adoption

We hereby certify that Resolution No. 2005-37 was adopted by the Council of the County of Kaua'i, State of Hawai'i, Lihue, Kaua'i, Hawaii, on **May 12, 2005.**


 County Clerk


 Chairman & Presiding Officer

Dated 5/13/2005

COUNTY COUNCIL

COUNTY OF KAUA'I

Resolution No. 2006-15,
Draft 1

**RESOLUTION URGING A FEDERAL OR INDEPENDENT
INVESTIGATION OF THE KA LOKO RESERVOIR DAM BREACH**

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAII:

WHEREAS, the Ka Loko Reservoir Dam in Kilauea on Kaua'i breached on the morning of March 14, 2006, causing extraordinary flooding and damage to the Wailapa area and claiming the lives of seven Kaua'i residents; and

WHEREAS, the residents of the area and the people of Kaua'i deserve and expect a thorough and unbiased investigation into the facts and circumstances that led to the dam breach and the resulting tragedy; and

WHEREAS, the Department of the Attorney General has begun investigating the matter; and

WHEREAS, in the aftermath of this tragic event, there have been numerous media and citizen reports making claims and accusations about both the actions and inactions by the State, the County of Kaua'i, and private landowners and individuals associated with the dam; and

WHEREAS, the State's ability to conduct a thorough and unbiased investigation is compromised by the fact that it is a potential defendant; and

WHEREAS, notwithstanding the State's ability to conduct a competent investigation, the appearance of a conflict, whether actual or only perceived, precludes public acceptance and trust of the results of such an investigation and will taint the search for justice and delay closure on this matter; and

WHEREAS, the State is preparing for possible litigation, as evidence by the emergency appropriations submitted by the Governor in H.B. 970, HD 1; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAII, that the Attorney General be urged to appoint a Special Deputy Attorney General to investigate the causes and circumstances of the Ka Loko Reservoir breach and to take prosecutorial action, as may be necessary, or, as an alternate, to secure an independent federal investigation as may be deemed appropriate.

BE IT FURTHER RESOLVED, that the State be urged to establish a Kaua'i contact person and/or toll free line to facilitate input from the Kaua'i community as to the investigation.

BE IT FURTHER RESOLVED, that certified copies of this Resolution be transmitted to the Honorable Governor Linda Lingle, Governor of the State of Hawaii; the Honorable U.S. Senator Daniel Inouye; the Honorable U.S. Senator Daniel Akaka, the Honorable U.S. Representative Neil Abercrombie; the Honorable U.S. Representative Ed Case; Mark Bennett, State Attorney General; Peter Young, Chair of the State Department of Land and Natural Resources; Sandra Lee Kunimoto, Chair of the State Department of Agriculture; the Honorable State Senator Gary Hooser; the Honorable State Representative Ezra Kanohe; the Honorable State Representative Bertha Kawakami; the Honorable State Representative Hermina Morita; the Honorable Bryan J. Baptiste, Mayor of the County of Kaua'i; and Lani Nakazawa, Kaua'i County Attorney.

INTRODUCED BY:

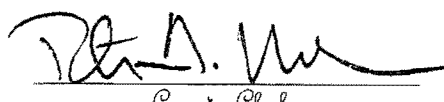
/s/ JOANN A. YUKIMURA

/s/ JAY FURFARO

	Yes	No	Exc
Osing	X		
Furfaro	X		
Iseri-Carralho	X		
Kaneshiro	X		
Rapazo	X		
Takiska	X		
Yukimura	X		
Total	7	0	0

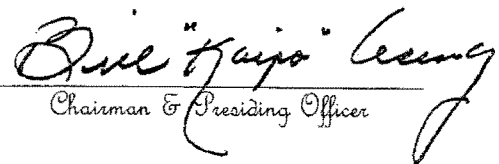
Certificate Of Adoption

We hereby certify that Resolution No. 2006-15, Draft 1, was adopted by the Council of the County of Kaua'i, State of Hawaii, Lihue, Kaua'i, Hawaii, on April 26, 2006.



County Clerk

Dated 4/27/06



Chairman & Presiding Officer

COUNTY COUNCIL

COUNTY OF KAUA'I

Resolution

No. 2006-24,
Draft 1

RESOLUTION IN SUPPORT OF
THE KŌLOA-PO'IPŪ
MASTER TRANSPORTATION CIRCULATION PLANNING PROCESS

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAII:

WHEREAS, the County Planning Department and Planning Commission are currently processing a multitude of multi-family and commercial development proposals within the Kōloa-Po'ipū planning area, including the Kōloa Town core, that are raising concerns with the residents of the community; and

WHEREAS, the intersections in Kōloa Town are already congested, and the additional traffic generated by the proposed projects will increase congestion on the roads and at the intersections of Kōloa Town; and

WHEREAS, each development project has provided independent traffic studies and proposed roadway improvements to accommodate their individual developments only; and

WHEREAS, traffic congestion was identified by the Kōloa Community Association as a key problem that was not being comprehensively addressed; and

WHEREAS, an overall master transportation circulation plan is now needed to consolidate the findings of the individual traffic studies, address the impacts to the roads and intersections in Kōloa Town and the surrounding community, and identify necessary improvements from a comprehensive standpoint and not in a piecemeal fashion as is occurring today; and

WHEREAS, a master transportation circulation plan will assist the Planning Commission in assessing traffic impacts and in imposing conditions as they review development projects; and

WHEREAS, the northern by-pass proposed between Maluhia Road and Lawai Road does not have a definite implementation or completion date; and

WHEREAS, the Kōloa-Po'ipū-Kalāheo Development Plan approved by the County Council in 1982 anticipated the need for a master transportation circulation plan (pages 61 and 64), but no such plan has been adopted; and

WHEREAS, the 1997 Kaua'i Long-Range Land Transportation Plan supports an area wide circulation and transportation planning effort (page ES-17); and

WHEREAS, due to the unprecedented cooperation of a group of developers in Kōloa-Po'ipū and the diligent efforts of the Kōloa Community Association, a transportation circulation planning process is being made possible; and

WHEREAS, the proposed planning process models an approach that is multimodal, sustainable, inclusive, community-based, and action-oriented, while respecting the local landscape, values, and history; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUAI, STATE OF HAWAII, that the Council supports the master transportation circulation planning process for the Kōloa-Po'ipū area and urges the Administration and the State Department of Transportation to work closely with the community and consultants to ensure a successful process. The Council extends its appreciation to the Kōloa Community Association and the developers for their leadership and urges residents to support and participate in a process that will result in a better quality of life for those who work and live in the area, as well as a higher quality visitor experience.

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to Mayor Bryan Baptiste, State Department of Transportation Director Rodney Haraga, Kaua'i District Office Engineering Program Manager Steven Kyono, County Engineer Donald Fujimoto, Bernard Carvalho, Director, Offices of Community Assistance, the Executive on Transportation Janine Rapozo, Planning Director Ian Costa, the Kōloa Community Association, and the development community in Kōloa-Po'ipū.

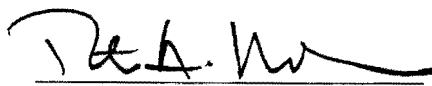
INTRODUCED BY: /s/ JOANN A. YUKIMURA

/s/ JAY FURFARO

	Yes	No	Exc
Asing	X		
Furfaro	X		
Iseri-Carvalho	X		
Kaneshiro	X		
Rapozo	X		
Tokioka	X		
Yukimura			X
Total	6	0	1

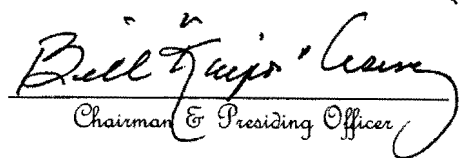
Certificate Of Adoption

We hereby certify that Resolution No. 2006-24, Draft 1, was adopted by the Council of the County of Kaua'i, State of Hawaii, Lihue, Kaua'i, Hawaii, on June 28, 2006.



County Clerk

Dated 06/29/2006



Chairman & Presiding Officer

COUNTY COUNCIL

COUNTY OF KAUA'I

Resolution

No. 2006-28,
Draft 1

**RESOLUTION REQUESTING THE BOARD OF LAND AND NATURAL
RESOURCES TO PRESERVE KOKE'E STATE PARK**

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAII:

WHEREAS, Koke'e State Park was founded during the time that Hawai'i was still a territory by withdrawing the area from the forest reserve to create recreational and leisure opportunities for Kaua'i residents; and

WHEREAS, Koke'e State Park provides a unique recreational environment for the enjoyment and edification of local families and visitors while protecting the ecology; and

WHEREAS, from the very start, resident accommodations that existed in the park and any new development of lots and accommodations were solely for the enjoyment of recreational users and not for permanent occupancy; and

WHEREAS, the Board of Land and Natural Resources is currently evaluating the homeowner's leases and are considering auctioning off all of the home sites which may cause international bidding and speculation and the creation of Koke'e as a resource primarily for the accommodation of non-residents; and

WHEREAS, the Board, in its master plan for Koke'e, is also considering a small hotel, helicopter landing pad, the creation of new parking areas and a main gate to the park, and the potential of auctioning operational leases for helicopter services, all of which focus on the commercial rather than resource-enhancing purpose of the park, which is not consistent with the main purpose of the park and the nature of the area; and

WHEREAS, the State's primary goals for Koke'e State Park should be the perpetuation of the natural environment, history and culture of the place, and the harmonious use of Koke'e by Kaua'i residents, Hawai'i State residents, and out-of-state visitors, in that order of priority; and

WHEREAS, the land use planning for this unique place must include solutions to traffic without compromising the tranquility and rural character; and

WHEREAS, a plan should be crafted to balance and allow stewardship of the cabins by current leaseholders and the over night use by non-leaseholders from Kaua'i, from the state and the Country in an orderly and fair way; now, therefore

BE IT RESOLVED BY THE COUNCIL OF THE COUNTY OF KAUA'I, STATE OF HAWAII, that the Council requests the Board of Land and Natural Resources to postpone the pending auction and work with current leaseholders so that the invaluable stewardship of the cabins and the preservation of the forest can continue.

BE IT FURTHER RESOLVED, that the Board of Land and Natural Resources open any currently vacant lease lands and cabins to auctions or to a new plan that a stakeholder process may create.

BE IT FURTHER RESOLVED, that the Board of Land and Natural Resources work with current leaseholders to make available a minimum number of nights for use by non-owners.

BE IT FURTHER RESOLVED, that the Board of Land and Natural Resources not install any helicopter pads or any other commercial activity other than the current museum and food and beverage concessions that currently exist on the property, and that it provide for additional opportunity for the Kaua'i community to be true partners in the creation of a master plan for Koke'e and Waimea Canyon.

BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to Governor Linda Lingle, Peter Young, Chairperson of the Board of Land and Natural Resources, Senator Gary Hooser, Representative Mina Morita, Representative Ezra Kanoho, and Representative Bertha Kawakami.

INTRODUCED BY:

/s/JOANN A. YUKIMURA

/s/JAY FURFARO

	Aye	Nay	Exc
Asing	X		
Furfaro	X		
Iseri-Carralho	X		
Kaneshiro	X		
Rapoza	X		
Takioka			X
Yukimura	X		
Total	6	0	1

Certificate Of Adoption

We hereby certify that Resolution No. 2006-28, Draft 1, was adopted by the Council of the County of Kaua'i, State of Hawaii, Lihue, Kaua'i, Hawaii, on August 16, 2006.

[Signature]

County Clerk

Dated 8/07/2006

[Signature]

Chairman & Presiding Officer

[Initials]