

Media Release: April 27, 2020
Contact: Tim Vandever
P: 808-388-0660
Email: tim@mwlawhawaii.com

Today Waimānalo community residents and concerned O‘ahu citizens filed a lawsuit in State Circuit Court over the proposed development at Waimānalo Bay Beach Park (also known as “Sherwood Forest”), asking the Court to temporarily and permanently enjoin the City and County of Honolulu from further destroying open space and natural resources in the park until it has complied with state and county law.

City officials have given contradictory information to the public about what they are planning to build if allowed to pave over the area, or when they might resume construction. The project, which has drawn overwhelming opposition from the local community, has been hampered by numerous delays, acts of civil disobedience, and challenges to permits and approvals that residents contend are inaccurate and insufficient.

Most recently, on April 6th, 2020, Mayor Kirk Caldwell directed the City and County of Honolulu Department of Design and Construction to restart construction on the controversial project in the midst of the current public health crisis. The most recent efforts stopped the very next day when the developer discovered iwi kūpuna on the project site.

Attorney Tim Vandever, who represents community group Friends of Sherwood Forest as well as individual plaintiffs Moana Kea Among, Maureen Harnisch, Archibald Kaolulo, and Mitch Werth, explained that “The plaintiffs in this lawsuit seek injunction to stop the conversion of this culturally and environmentally sensitive community beach park into a massive sports complex that contravenes state and local law. This community is committed to preserving the rural beauty of Waimānalo Bay Beach Park and protecting its unique ocean-based recreational opportunities for future generations.”

Attorney Vandever also noted that it was recently discovered that the City also failed to do a Flood Encroachment Study for the proposed development, as is required by their own land use ordinances. “No development should be allowed at Sherwoods until the community is sure that the City’s proposed construction won’t make flooding worse in neighborhoods near the project site. This is yet another reason why the City needs to stop forcing this ill-conceived project on the people of Waimānalo and go back to the drawing board.”

A previous lawsuit, filed in U.S. District Court was voluntarily withdrawn by Plaintiffs when the City signaled their willingness to proceed with construction despite a pending jurisdictional ruling in the case. When an injunction from the Federal Court was not forthcoming, Plaintiffs decided to withdraw and file suit in state court in a continued effort to stop the City’s ever-changing runaway development project at Sherwood Forest.