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Saving Sherwood Forest

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Saving Sherwood Forest

By Maureen Harnisch



The cliché says, “you can’t fight City Hall”. But I say you can! The victory of Friends of Sherwood Forest in the battle to stop the City and County from developing this natural area into a sports complex is proof.

Three years ago, I saw a story on the news about bulldozers in Oahu’s Waimanalo Bay Beach Park, known to locals as Sherwood Forest. This is a favorite spot for me, and I was outraged enough to get involved. I called the TV station and got the name of the Waimanalo resident in the interview and called her. That was how it began.

The community was also outraged. Politicians pushing the development snuck up on people and 100s of concerned residents showed up at the first protest in April 2019. “Waimanalo Bay Beach Park Masterplan”, would have destroyed the forest, and paved over 4 acres for sports fields and parking for Phase I. This 76 acre natural area is one of the last coastal forests on the island and should be protected. The plan itself was full of errors, ambiguities and outright lies. Because of the size of this tome, I guess they thought no one would read it. They were wrong.

How did we do it?

Don't be intimidated. Pick up the phone. People are happy to help.

One of the City’s lies I caught early was that the City claimed the development would utilize R2 recycled water for the development. Knowing little about wastewater, I picked up the phone and called and asked if the Waimanalo facility even produces R2 recycled water. Waimanalo’s wastewater facility only produces R1 water – clear, clean, potable drinking water to waste watering an unnecessary sports complex. After calling everyone from the Board of Water Supply to the DOH to the Water Commissioner himself, the City is at least 10 years and tens of millions of dollars away from this upgrade. There were no plans, no outlines, no budgets and no ideas about upgrading the Waimanalo facility in the works. The claim was untrue and easy to prove.

Another example, The City claimed in the masterplan that the area was not on the National Registry of Historic Places. But in the appendix, it cited that it was indeed on the Registry. Using the citation, I called Washington D.C. and spoke to the office that administered the list. They confirmed that the area is indeed on the National Registry. Never be intimidated to call anyone. Your effort needs a “salesperson”. I cold-called hundreds of people from The Department of Interior to the Office of Environmental Quality (OEQC). I was unaware of

the existence of most of the agencies I called. Everyone was very friendly and helpful. Don’t send emails. Pick up the phone.

Get the right kinds of support

In an effort like this, you need a driver – one person who steers the effort. If you can get a nonprofit to be the driver, great. I was unable to get that support because most of the groups on Oahu were already spread thin. In addition to the driver, you need a dedicated group who will always show up to help. Hundreds pitched in, but 12 were doing the consistent heavy lifting. At last count, there were more than 1000 people participating and receiving our newsletters.

We were able to secure the support of nonprofits. One of our volunteers wrote a letter and got a dozen local environmental nonprofits to pledge support for our effort. This letter was then sent on to elected officials and media. We had an election in the middle of our effort, so we got pledges from candidates saying they would not support the development if elected. Mayor Rick Blangiardi signed a pledge and proved true to his word.

There were many people who wanted to help us but needed to remain anonymous. Accept their help and respect their privacy! There were significant, anonymous people involved and I never revealed their identities. I gave a fake name early on to one person with particularly valuable information. I didn’t want to accidentally speak their name. A year later, they said to me, “Please keep my name out of this one.” I replied, “Honestly, I don’t even remember your name.”

Finding an Attorney

I am no expert on this and found this to be difficult in the extreme. I called every environmental attorney I could find. Most were sympathetic but managing a full case load. Before ending a rejection call, I asked, “what would you do if you were me?” Every one of them generously gave different, valuable advice. Many gave another name to call. We gratefully worked with low bono attorney Tim Vandever who was kind enough to take the case until we got an offer for pro bono assistance from a large, powerhouse firm (Bronster, Fujichaku and Robbins).

Fundraising

Hold onto the money with both hands. We had a volunteer step up enthusiastically to manage the GoFundMe. After a year’s worth of effort, she stole the money. Since she started

the fund, there was nothing we could do. We did report the theft to GoFundMe, and they refund money to individuals who asked. But we had to tell our donors to ask for their refund. All of this hurt our momentum. Learn from our mistake. Keep the funds close! It is disheartening to lose money after all that work. Be wary of anyone eagerly volunteering to run the GoFundMe. The person who set up the account can walk off with the funds and you have little recourse. Unfortunately, morally corrupt actors insert themselves into volunteer efforts, targeting their funds.

Divide and Conquer and other dirty tricks

Government often uses the trick of divide and conquer in the community. The former mayor knew he had to get some of the local community on his side to proceed. Divide and conquer is fairly easy for them to accomplish. In our case, he secretly approached key members of the community, lured them in with silly promises and turned them against the original group. When the tactic of divide and conquer reached its ugliest extremes, I came closest to quitting the effort. Because I did not agree with the splinter group, they turned on me in a discouraging way. I think I stayed the course because I was angry to see our elected officials manipulating the community in this way. If I didn’t continue, the City would have won.

The City also ran a deliberate misinformation campaign. Make sure that every elected official has the true story. Early on, the City issued a press release. Almost every word was untrue. Mark it up in red and give everyone a copy. Elected officials are busy. Help them by making it simple. Hand deliver it. Emails are easy to ignore.

When the City sent the police to put down a peaceful protest, many of them kapuna, they brought weapons of war. They brought a sound cannon to frighten and intimidate the community into compliance. 27 people were arrested. Although the final word on the sound cannon was that it was not deployed, several people had lasting negative effects. We sent detailed communications to the media about the egregious actions the City had taken and published it on our website. This was a front page story.

Administrative Shenanigans

One of my concerns was the Environmental Assessment (EA) done for this project. How could it not be important enough to warrant an Environmental Impact Statement (EIS) when there were 100s of Endangered Ope’ape’a (Hawaiian hoary bats) living in the Sherwood Forest, not to mention shearwaters on the ground and other critical and endangered birds using this area. This was a natural area in the Coastal Zone Management area they were trying to pave over. The City was going to put up stadium lights where shearwaters were nesting! The finding that no EIS was needed was amazing and the best proof that it is crucial for citizens to be watchful and get involved. The process

is that first, an environmental assessment (EA) is done. Then the EA must be judged to determine if a more thorough EIS is triggered. The developer, The City and County of Honolulu Office of Design and Construction, writes their own EA. The judge of the EA is the exact same office. The actual developer looks at their own EA for Sherwood’s and declares no further study needed! How is that fair? That process needs to be changed. The so-called “safeguard” is that this must get approval from the DOH, Office of Environmental Quality Control, which is extremely short staffed. When I spoke to someone in the office itself, I found one person, for the entire state, with a second person on extended leave. There is no way that one person could even read everything in the state much less pass reasonable judgement on it.

Also, EAs and EISs have no expiration date, even when the conditions they initially considered have changed.

Managing the Media

Cultivate relationships with key media people. NEVER waste their time. Develop specific story lines. Give exclusives where you can. Get cell phone numbers. Make it as easy as possible for them. Have your most articulate people available for interviews. Most reporters are looking for ideas -- help them find them. Print up fact sheets to hand out at the end so they get it right.

Constant Monitoring

The conditions of the City’s Grading Permit included having an archaeologist onsite during earth moving of any kind. The contractor did not do that. Who would have known if our volunteers were not watching? Be your own monitors and have the phone number of DLNR DOCare, and SHPD, the State Historical Preservation office. Once we made calls and the archeologist showed up, they were sitting in a beach chair some distance away from the site. Sometimes, they were sitting in their car with the air conditioner running. We took pictures and told the media.

All too often developers don’t adhere to all the rules. Read the plans. Find the dishonesty and the inconsistencies.

Stay Focused

Early on in your effort, define your mission and stick to it while a thousand things distract you. For example, there were always tons of ideas about what should be done with the park. But that is not what our effort was about. Our goal was to stop the implementation of the Masterplan and get the Special Management Area permits (SMA) permanently extinguished. Because we were able to maintain our focus throughout, we accomplished exactly that. The developers will come again for this beautiful place. But they will have to start over and next time, the community will be watching.

