Hawaii council nixes impact fees

By Peter Blais

The Honolulu City Council has unanimously overridden Mayor Frank Fasi's veto and adopted a golf course development policy that rejects the mayor's suggested $100 million impact fees.

Instead the policy encourages developers to integrate the golf course project into the local community while setting strict social, economic and environmental requirements.

Bill 129 establishes guidelines for judging among the numerous proposals submitted for review annually on the island of Oahu, where at least 60 courses are in preliminary planning stages.

But critics complain the ordinance still fails to address how many more courses should be allowed on the island or where they can be located. One of the primary areas of concern is near already crowded Kaneohe Bay on the northeast side of Oahu, where another 14 courses have been proposed and residents are concerned about the bay's water quality.

"The ordinance is rational and scientifically based," said Stuart Cohen of Environmental & Turf Services, a Wheaton, Md.-based firm that has done environmental risk assessments in Hawaii. "It takes the proposals, provides a rational basis for making decisions, and requires that good people are available to manage the turf."

Cohen, who testified at an August workshop concerning Bill 129, agreed the number of courses and where they should be located are important issues that still need to be addressed on the state's strict Act 250 development law.

"It's a step we had to take within 30 days of the board's decision," said Truax, president of The Irvine Co. "For more on Pelican Hill and other new golf courses, see pages 27-43."

Photo by John Connell
Sherman Hollow's no-chem proposal denied

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Developers claimed the use of Green Life Conditioner, a supposedly non-toxic and organic substance, was unnecessary. The board concluded there was insufficient evidence to support those claims.

The board said the most significant defect regarding waste disposal was the failure to submit information concerning the ingredients in GLC.

The board required a list of pesticides and fertilizers that could be applied to the golf course, including information on mobility and solubility. The developers claimed that was no longer necessary since GLC would make fertilizers and pesticides unnecessary. The only addition to GLC was a top dressing and those ingredients were submitted.

The board found that "GLC is analogous to fertilizers because it is a substance applied to land to promote plant growth." Claiming GLC is organic and non-toxic did not free developers from providing a list of ingredients. Developers claimed those ingredients are trade secrets and instead provided a product label and priority pollutant scan. The board found those insufficient.

"Without this information, it is not possible to reliably judge the behavior of GLC and its water pollution impacts," the board concluded.

The developers countered they had received a letter from Dr. William Bress of the Vermont Department of Health stating that applying GLC will comply with Vermont Drinking Water Health Advisories and they had also received a draft discharge permit from the Agency of Natural Resources. The board ruled those were not enough.

Concerning streams and water supplies, the board determined the pond and four wells proposed for irrigation would not provide enough water during July and August. That could force course managers to draw water from on-site streams, affecting existing water supplies, it argued.

Developers estimated the pond and wells could provide one inch of water weekly. But irrigation needs in July and August are expected to be 1-1/4 inches.

Developers claimed GLC would result in a 10 percent reduction in water needs. But the board claimed there was no scientific evidence that would happen.

"Because the sources which the applicants plan to use will not provide enough water to meet their needs during these months, the applicants will be forced to use other water sources," reads the report. "Use of such sources may affect the natural condition of Sherman Hollow Brook and other nearby streams and may present a burden on nearby wells."

"I believe that, even if the permanent turf does not become established, other grasses can be used to prevent erosion after construction," said William Martinez, a forestry and park planner during the logging and clearing of the site.

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"The soils on the site have poor value in terms of plant nutrients," the report reads. "The applicants plan to use GLC and a small amount of top dressing to make up for this difficulty."

The applicants claim, however, that GLC does not make fertilizers unnecessary. The board concluded that without use of fertilizers, turf would not grow after construction. Without grass, the combination of steep slopes running downward toward Sherman Hollow Brook, shallow permeable soils and limited capacity to absorb water would mean "unreasonable" soil erosion.

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