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November 14, 2025

MEMORANDUM

TO: State of Hawai'i Land Use Commission

FROM: JASON D. OMICK; Wildlife Program Manager
Division of Forestry and Wildlife
Department of Land and Natural Resources

SUBJECT: **Hawaiian Memorial Park Cemetery Expansion Project, Blackline
Hawaiian Damselfly (*Megalagrion nigrohamatum nigrolineatum*)-
Docket No. A17-804**



The Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW) is seeking guidance from the State of Hawai'i Land Use Commission regarding compliance with conditions for approval in a State of Hawai'i Land Use Commission's Decision and Order (D&O) for a land use district boundary amendment for the Hawaiian Memorial Life Plan Ltd's property (Docket No. A17-804, Adopted 10/13/2020). The property has been known to support a population of endangered Blackline Hawaiian Damselfly (*Megalagrion nigrohamatum nigrolineatum*). Initial habitat boundaries for the Damselfly, established for the final environmental impact statement (FEIS) of the Hawaiian Memorial Park cemetery Expansion Project, were informed by an invertebrate study for the property conducted by Dr. Steven Montgomery, site visits to the habitat, and existing U.S. Geological Survey (USGS) elevation data, and further required review of the Blackline Hawaiian Damselfly (Damselfly) habitat area by DOFAW during final design of the project.

DOFAW is consulting with the Land Use Commission regarding unmet conditions for approval in the State of Hawai'i Land Use Commission's Decision and Order (D&O) for a land use district boundary amendment applicable to Hawaiian Memorial Life Plan. The conditions and their status (in red) are outlined as follows:

1. A subsurface drainage system designed utilizing a herringbone configuration would be implemented in the cemetery expansion area planned for fill activities above the seep. The system would be comprised of three subsurface drainage mainlines with smaller subdrains branching laterally from them. This system would ensure water flow to the well and seep is maintained.

While the Hawaiian Memorial Life team has communicated that the overall drainage plan for the area was required to be designed so that it directed water towards the well, DOFAW understands that they have not yet begun construction on the components that would be involved with this.

2. A well monitoring gauge or other appropriate device would be installed inside the well located upslope from the seep to monitor water levels prior to, during, and after project construction. Once project earth moving activities conclude, a permanent water line would be extended to the well from the expanded cemetery's irrigation system. This irrigation line would serve as a long-term means of ensuring continued water flow to the seep. If the gauge indicates water levels have declined to levels potentially affecting the seep, water from the irrigation line to the well could be provided to stabilize water levels. During construction, a temporary water line would also be extended to the well to support water levels, if necessary.

There is a gauge monitoring flow near the bottom of the seep. The Hawaiian Memorial Life team has advised that the permanent water line to the well was part of the plan, but our understanding is that it has not yet been constructed while the mitigation measure specifies that this should be done after ground moving activities are completed. There was a temporary hose leading to the well to fill the seep with water when it got too low. This hose was used to fill the well so that the seep would fill with water at least once.

3. Small sticks upright and away from the edges of waterlogged areas would be placed along the seep to serve as molting safe zones to avoid predation during molting. These sticks would protect naiads because ants would not cross water barriers.

There were small sticks placed in the middle of the stream when we visited.

4. Habitat boundaries currently shown in the Final EIS would be reviewed during project final design based upon more accurate data collected from a topographic survey. Habitat boundary would be revised as appropriate. Fencing would be constructed around the damselfly habitat boundary to protect native damselfly from disturbance by feral pigs. Fencing should consist of hog wire designed with a lower barbed strand to resist digging by feral pigs.

There is no fencing in place and the Hawaiian Memorial Life team has communicated that pigs are an issue and have been digging up in and around the seep.

5. Regular inspection of the seep would be scheduled to ensure the present low trickle flow of water is continued. Inspection could involve through development of a monitoring

plan during the project's design phase. The plan would include BMP measures (i.e. erosion control) and would be implemented during the project's construction phase.

- a. Inspection of the seep should be conducted before the start of construction to establish baseline water flow conditions. Monitoring would occur during construction with the seep area inspected on a weekly basis to evaluate water flow in coordination with BMP measures.
- b. Once construction concludes, monitoring would continue for an additional six months to ensure continued seep water flow. Inspections would occur weekly for the first three months and every two weeks thereafter if conditions are satisfactory.
- c. After the six-month period elapses, HMP staff would conduct monthly water flow inspections. If water flow is significantly disrupted, measures would be implemented to supplement short-term water flow (i.e. piping in of water).
- d. Appropriate measures would be determined through consultation between the contractor and the design team or other specialists to evaluate conditions and resulting measures. This has been successful at another site for a related endangered damselfly.

DOFAW understood that the Hawaiian Memorial Life Plan Ltd. team has been surveying every two weeks recently. It seems their team has implemented monitoring in an effective manner overall. We believe there is someone performing the biological monitoring and then AECOS is monitoring the flow.

6. Monitor as part of seep inspections to ensure non-native fish, such as the Western Mosquitofish are not present within this habitat area. Individuals conducting seep water flow inspections should be aware of the presence of alien fishes and should notify experienced biologists if fishes are sighted to ensure prompt identification and removal.

Status unknown. Requesting update from Hawaiian Memorial Life Plan Ltd.

DOFAW is hoping for response and remediation of these unmet conditions from the State of Hawai'i Land Use Commission's Decision and Order (D&O) for Docket No. A17-804 in order to ensure protection of the endangered Blackline Hawaiian damselfly at the Hawaiian Memorial Park Cemetery. We appreciate your efforts to work with our office for the conservation of our native species. If you have additional questions, please contact Protected Species Habitat Conservation Planning Associate Kinsley McEachern at (808) 587-0593 or Laurinda.k.mceachern.researcher@hawaii.gov.

Sincerely,



Jason D. Omick
Wildlife Program Manager

CC: The Office of Planning and Sustainable Development