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Defend Oahu Coalition was enthused by the Hawai'i Supreme Court's ruling today requiring the developer at Turtle Bay Resort to complete a new environmental impact statement before they can attempt to move forward with plans of massive expansion on Oahu's North Shore. The ruling, in favor of DOC sister-organization Keep the North Shore Country and Sierra Club Hawai'i, states that circumstances have indeed changed since the resort's previous owners prepared an environmental impact statement in 1985 to expand the development. The proposed additional 5 hotels and 1,000 resort condominiums triggered overwhelming opposition in the community after Oaktree Capital Management announced plans to revive the decades-old plan in 2005.

In ordering a new EIS, the court acknowledged that this project is too big and too late for the pristine stretch of coastal property, citing the plaintiff's position that regional traffic conditions have changed along with concerns for the endangered Hawaiian monk seals and threatened green sea turtles that have used the area increasingly since the mid-1980s. Chief Justice Ronald Moon said these factors make the project an "essentially different action" than the one considered 25 years ago. Defend Oahu Coalition filed a "friend of the court" legal brief on behalf of their members last December, bolstering Keep the North Shore Country's argument asking for a supplemental EIS and will continue to support KNSC as they raise money to pay their legal bills.

Coalition members are encouraged by the ruling as it relates to their case currently before the State Land Use Commission, asking the commission to issue a show cause order to the developer at Turtle Bay. In 2008, Defend Oahu asked the State why a portion of resort land (that the LUC rezoned to urban in 1986), should not revert back to its original agriculture designation due to decades of inaction by various owners and speculators. The resort developer has yet to fulfill many of the original conditions set by the commission for the property and has repeatedly broken promises made to the surrounding rural community. After over two years and six separate hearings, the LUC has yet to issue a ruling in the case. Some members of the commission have expressed a desire to "wait and see what the Supreme Court does" before ruling on this separate issue.

DOC remains hopeful that bravery and justice might come a little easier for the Commission thanks to today's ruling.

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**Background on the fight to Keep the Country COUNTRY!, including a timeline of Defend Oahu Coalition's case before the LUC and the "Call to Action" for elected officials is available online at: [www.DefendOahuCoalition.org](http://www.DefendOahuCoalition.org)**