

# SB3035

## SB3035



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**Measure Title:** RELATING TO CONSERVATION.

**Report Title:** CIP; Laniakea Wayside Park; DLNR; Appropriation; GO Bonds (\$)

**Description:** Authorizes the issuance of general obligation bonds and appropriates funds for planning for and construction of the Laniakea wayside park on the north shore of Oahu.

**Companion:**

**Package:** None

**Current Referral:** WTL/TIA, WAM

**Introducer(s):** HEE

<u><a href="#">Sort by Date</a></u>		<b>Status Text</b>
1/23/2014	S	Introduced.
1/23/2014	S	Passed First Reading.
1/27/2014	S	Referred to WTL/TIA, WAM.
2/5/2014	S	The committee(s) on WTL/TIA has scheduled a public hearing on 02-10-14 1:20PM in conference room 225.

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



**STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621  
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**Testimony of  
WILLIAM J. AILA, JR.  
Chairperson**

**Before the Senate Committees on  
WATER AND LAND  
and  
TRANSPORTATION AND INTERNATIONAL AFFAIRS**

**Monday, February 10, 2014  
1:20 PM  
State Capitol, Conference Room 225**

**In consideration of  
SENATE BILL 3035  
RELATING TO CONSERVATION**

Senate Bill 3035 proposes to authorize the issuance of general obligation bonds and appropriates funds for the planning and construction of the Laniakea wayside park on the north shore of Oahu. **The Department of Land and Natural Resources (Department) supports the intent of the bill, specifically in order to enhance the protection of the Hawaii green sea turtle, but has grave reservations concerning the sequence of land dispositions necessary, prior to establishing the area as a wayside park with the necessary public management infrastructure.**

The creation of a wayside park at Laniakea would better serve the community and the visitor industry; however, the impact of that action upon the protection of the Hawaii green sea turtle must also be evaluated. Creation of a park could increase human interaction with this species.

An additional concern for the Department's Division of State Parks (Division) is the number of active projects in progress. In addition to management of existing parks, sites, reserves and monuments, the Division is currently tasked with the development of Central Maui Regional Park (Wai'ale) on Maui; has five master plans in various stages of completion; and has been engaged in the possible acquisition of Lipoa Point on Maui. There are also several key parks that are ready to initiate recreational enhancements and income production to support state-wide Division operating needs. Adding yet another new feature with its appurtenant development process jeopardizes the timely success of pre-existing projects.

**WILLIAM J. AILA, JR.**  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

**ESTHER KIA'AINA**  
FIRST DEPUTY

**WILLIAM M. TAM**  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

Of paramount concern in the development of Laniakea is the need for the Department of Transportation to both confirm the ability to re-align the State highway at this location, and then execute it. This involves the consent of the adjacent landowner, Kamehameha Schools. Absent this action, the Department of Land and Natural Resources has determined that the bill as written is premature.

After the actions associated with roadway alignment and disposition are confirmed and initiated, there could be meaningful discussion between the Department, the Fish and Wildlife Service, and the City and County of Honolulu on the best management policy and infrastructure to enhance protection of the Hawaii green sea turtle and service the public in its desire to view and experience this popular species.

Accordingly, the Department recommends a deferral of this measure as written -- or passage with new language that places the roadway re-alignment process as the priority action to fulfill the intent of the bill.



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S.B. 3035  
Senate Committees on  
Water Land &  
Transportation and Int. Affairs  
Sen. Malama Solomon, Chair  
Sen. Kalani English Chair  
Conference Room 225

February 7, 2014

TO: The Honorable Malama Solomon, Chair  
The Honorable Brickwood Galuteria, Vice Chair  
Senate Committee on Water and Land  
The Honorable Kalani English, Chair  
The Honorable Donovan Dela Cruz, Vice Chair  
Senate Committee on Transportation and International Affairs

FROM: Chair and Presiding Officer Ernest Y. Martin  
Honolulu City Council

**HEARING OF FEBRUARY 10, 2014  
TESTIMONY IN SUPPORT OF SB 3035  
RELATING TO CONSERVATION**

Aloha Chairs Solomon and English, Vice-Chairs Galuteria and Dela Cruz and Members of the Committees,

Thank you for the opportunity to express my support for SB 3035 the issuance of general obligation bonds and appropriation of funds for the planning and construction of the Laniakea wayside park on the North Shore of Oahu. The Hawaii Tourism Authority reports 5,100,169 people visited Oahu last year, up 4 percent from 2012 and up 15.9 percent from 2011. Furthermore, the average number of visitors on Oahu on any given day in 2012 was 97,989 people, a number that has continued to grow each year.

A study done by the North Shore Chamber of Commerce in 2006 indicated that North Shore permanent residents share their area with an estimated average of 6,731 visitors on any given day. In addition, surveys done by the State Department of Business Economic Development and Tourism show that in 2003 and 2005, 51 percent of all visitors to Oahu visit the North Shore which translates to 2,423,446 visitors per year, and that this dramatically increases the localized area population by 43 percent.

The tourism population will likely continue to have an impact on the Hawaiian green sea turtle population, especially on the North Shore of Oahu. Nowhere is this impact more obvious than Laniakea beach, demonstrating the need for more conservation efforts. The construction of a wayside park would provide a long-term solution to the traffic problems and other impacts of tourists at Laniakea beach. For all of the reasons stated above, I strongly support SB 3035.

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**Subject:** Submitted testimony for SB3035 on Feb 10, 2014 13:20PM  
**Date:** Friday, February 07, 2014 2:05:33 PM

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**SB3035**

Submitted on: 2/7/2014

Testimony for WTL/TIA on Feb 10, 2014 13:20PM in Conference Room 225

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Stuart Coleman	Surfrider Foundation	Support	No

Comments: My name is Stuart Coleman, and as the Hawaii Regional Manager of the Surfrider Foundation, I am writing in support of SB 3035 and efforts to secure funding for a wayside park at Laniakea. Surfrider is committed to protecting beach access, and the current barricades block parking and access to the beach at Laniakea. We support the idea of a bypass road and wayside park that would allow locals and visitors to park in the area and walk safely to and from the beach, while also allowing traffic to flow more smoothly around the mauka side of the park. The bypass and park would also help protect people and cars from sea level rise and big storm events where waves are already washing across the current road. Mahalo for your consideration.

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**Date:** Wednesday, February 05, 2014 11:02:16 PM

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**SB3035**

Submitted on: 2/5/2014

Testimony for WTL/TIA on Feb 10, 2014 13:20PM in Conference Room 225

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Carol Philips	Individual	Support	Yes

Comments: Dear Honorable Committee Chairs and Members, As a 30 year resident of the North Shore and a person who dearly loves the beach, I'm writing in strong support of this measure. Hawaii is losing it's beaches at an ever increasing rate due to reasons we all know. By supporting a wayside park at Laniakea you will be creating legacy for future generations to enjoy. I say this because of shore line hardening around the island and other more complicated issues such as sea level rise in the future we will only have pocket beaches left. These pocket beaches will be places along the shore line that have be allowed to naturally evolve, Waimea Bay is a good example of this. I implore you to strongly support this measure to help create a legacy that will allow future generations to enjoy the beaches in Hawaii that many of us now take for granted. Respectfully and with Aloha, Carol

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**Denise Antolini**  
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**Hearing on SB3035**

Senate Committees on Water and Land (WAL) & Transportation & International Affairs (TIA)  
Hearing: Feb. 10, 2014, 1:20 pm Conference Room 225

Dear Chair Solomon, Chair English, Vice-Chair Galuteria, Vice-Chair DeLa Cruz, and Committee Members:

I write in **STRONG SUPPORT OF SB3035** introduced by Senator Clayton Hee. This bill will establish a State wayside park at Laniakea and Chun's beaches on the North Shore of Oahu. The bill proposes to put the Department of Land & Natural Resources (DLNR) in the lead on the planning and supplemental land acquisitions necessary to create a new "wayside" park in collaboration with the community and surrounding landowners -- particularly Kamehameha Schools, the State Department of Transportation (DOT), and the City and County of Honolulu.

For too long, the chaotic over-use of this stretch of highway near Laniakea Beach Park by unregulated visitor traffic and pedestrians haphazardly crossing Kamehameha highway has been a severe safety problem for residents and visitors, jammed up the highway for miles on virtually every weekend and now on weekdays, and created havoc for the green sea turtles for which this beach is essential resting and foraging habitat. For over ten years, the community has patiently waited for a permanent solution. None has appeared despite a huge investment of community and agency time, money, goodwill, and energy. The new "temporary concrete traffic barriers" installed by DOT at the site are an embarrassing eyesore and certainly not a long-term solution.

The realignment task force led by DOT has languished for years and narrowly focused on the highway, without adequate consideration for the high natural resources, scenic, cultural, and recreational values of this area. Ten years ago, the City set aside several acres of land at Laniakea and Chun's for beach parks (which can provide critical site anchors for an overlay of a state wayside park) but the City's efforts to create these two support parks has also stalled. Kamehameha Schools (KS) has indicated its support for this new "state wayside park" approach. The solution for this area must be a comprehensive state-city-KS-community solution – it can build on these prior efforts but should solve the problems in both adjacent areas with a single solution and must consider the impacts of climate change and beach erosion, already a significant problem in this area for both the highway and for beach users.

A state wayside park (such as the state has created at Nu`uanu Pali, La`ie Point, and Makapu`u) will be a fresh integrated approach, changing the focus from just "moving the highway mauka" (which seems to be an area of near-universal agreement) to a comprehensive solution that appropriately protects the high natural resource and scenic values of this area. A well-designed wayside park can provide a safe, controlled, and educational experience for visitors briefly passing through the North Shore, be a model for how state beach parks can be resilient and adaptive to climate change, and also give highest priority for local uses of the beaches of this area as well protecting turtle habitat.

Although the specific design is "to be determined," the broad inter-agency and collaborative approach of the bill is critical to a successful solution for the severe traffic mismanagement problem that adversely impacts anyone going "circle island" as well as those who live on the North Shore.

Thank you for the opportunity to testify.

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**SB3035**

Submitted on: 2/7/2014

Testimony for WTL/TIA on Feb 10, 2014 13:20PM in Conference Room 225

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
IRA CALKINS	Individual	Support	No

Comments: IRA CALKINS GOVERNMENTAL RESEARCHER 730 Captain Cook Ave Unit 426 Honolulu, Hawaii 96813-2161 Your actions will prove my statements of the following to be a fact and true. It appears the Hawaii State Legislators are being blackmailed in to voting the Democratic party line, or the Democratic Party will not support the State of Hawaii Legislator in the next state wide election. It does not matter what the people think, the Democratic Party has already decided for us on all bills before the State of Hawaii Legislature . The chairman's in all committee meetings has a script to follow that the Speaker of the House, and the Speaker of the Senate has given the Committee Chairs to follow, to instruct the committee how to vote on a any given measures, all Bills in all committees of the State of Hawaii Legislature. It is determined ahead of time by the Democratic Party members how a committee member will vote when staying with the party line on any given Bill in the State of Hawaii Legislature, Democracy has been taken away from the tax payers in this state. The Democratic Party Line has replaced the will of the people in the State of Hawaii Legislature. Ira Calkins Honolulu 4696434 or 3498667 FAX 808-545-4707 Washington D.C. 202-697-9782

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**Date:** Thursday, February 06, 2014 8:10:01 PM

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**SB3035**

Submitted on: 2/6/2014

Testimony for WTL/TIA on Feb 10, 2014 13:20PM in Conference Room 225

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Maria Colville	Individual	Support	No

Comments: I helped with an organization called Malama Na Honu on North Shore at this Laniakea Beach. I can testify that the honu were regularly and continually subjected to encroachment, harrassment and potential harm on a daily basis from tourism. I worried what happened when we were not there. There was no respect for their space. There was little respect for those of us trying to educate and protect on behalf of the honu. I feel strongly that some measure to protect them is long overdue. I request that you pass this bill and hastily put it in place to protect the honu. Mahalo

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**Date:** Thursday, February 06, 2014 9:25:48 AM

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**SB3035**

Submitted on: 2/6/2014

Testimony for WTL/TIA on Feb 10, 2014 13:20PM in Conference Room 225

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Teresa Parsons	Individual	Support	No

Comments: Esteemed Senators, Mahalo for allowing this testimony to be submitted in favor of this bill WITH AMENDMENTS. I completely concur there is an overwhelming number of people who frequently Laniakea since it is published on all the TOURIST maps as a place where Hawai'ian Green Sea Turtles can be seen. The tourist industry is a major economic driver for the islands, but there is little governance of "how" the tour companies operate when endangered species are concerned. I do believe setting aside land to provide a space for honu basking is very appropriate, as is the educational signage regarding the turtle habitat. My suggested amendment is incorporating more than "remote security" at this site. Currently, a small group of volunteers attempt to staff the area to provide education and encourage respectful viewing of the turtle feeding and basking area. They are not DLNR officers, so their ability to protect the honu from unruly persons is absent. The result is frustration, arguments, and altercations as the Honu guardian volunteers attempt to reason with tourists who think it is perfectly ok to allow their children to "climb on the turtle for a cute picture" or adults who enter the water to grab on to a feeding honu for a "free swim with the turtles". I encourage an amendment to this bill to include a fee for any tour bus or tour operator who either advertises Laniakea as a stop or actually stops at the wayside park to fund positions for a DLNR officer to be stationed during daylight hours to ensure the safety of those entering the wayside park and to protect the turtle habitat. Remote security could be employed at night. Mahalo for the opportunity to submit testimony in SUPPORT WITH AMENDMENT as stated above.

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