

October 6, 2014

The Honorable Ikaika Anderson  
Councilmember, District 3  
City Council  
City and County of Honolulu  
Honolulu Hale  
Honolulu, Hawaii 96813

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CITY COUNCIL  
HONOLULU, HAWAII

Dear Councilmember Anderson:

Subject: Ha'ikū Stairs Working Group Final Report

Enclosed for your review and use is the final report of the Ha'ikū Stairs Working Group, which presents the group's findings and recommendation for the Ha'ikū Stairs.

The Ha'ikū Stairs Working Group has been meeting every Wednesday since July 23, 2014. Meeting discussions covered a number of topics, such as what to do with the Ha'ikū Stairs, the various access points (actual and potential) and what would be the best option that would be mutually acceptable to the residents, landowners and stakeholders.

The members of the group are hopeful that this report will provide a means to finally resolving the disposition of the Ha'ikū Stairs.

Mahalo and Aloha,

The Members of the Ha'ikū Stairs Working Group

- Vernon Ansdell, Friends of Ha'ikū Stairs
- Rick Barboza, Hui Kū Maoli Ola
- Shelly Carreira, Department of Hawaiian Home Lands
- Mahealani Cypher, Ko'olau Foundation and Ko'olaupoko Hawaiian Civic Club
- Rae Leong, Resident of Hokulele subdivision
- Michael Matsuo, Board of Water Supply
- Melissa Miranda-Johnson, Mayor's Office
- Mo Radke, Kāne'ōhe Neighborhood Board
- David J. Rodriguez, Department of Transportation
- Ken Rose, Resident of Ha'ikū Village subdivision
- Kapaliku Schirman, Papahana Kūaola
- Holly Sevier, Kāne'ōhe Neighborhood Board, Resident of Ha'ikū Village subdivision
- Ulalia Woodside, Kamehameha Schools

Enclosure

Cc: Mayor Kirk Caldwell



# HA'IKŪ STAIRS WORKING GROUP FINAL REPORT

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# HA'IKŪ STAIRS WORKING GROUP FINAL REPORT

## I. PURPOSE OF HA'IKŪ STAIRS WORKING GROUP

On June 24, 2014, Honolulu City Councilmember Ikaika Anderson assembled a small group of local community and civic leaders, residents and landowners to discuss issues relating directly to the Ha'ikū Stairs and to develop a recommendation for their future use and/or disposition.

## II. SPECIFIC REQUEST

The Ha'ikū Stairs Working Group (HSWG) was tasked with meeting for ninety (90) days to determine disposition of the Ha'ikū Stairs by analyzing and discussing the following questions:

- A. Landowners will allow access over their properties
- B. Landowners will not allow access over their properties
- C. No consensus from landowners

To determine the following results:

- A. Maintain the "status quo"/Do Nothing
- B. Remove the Ha'ikū Stairs
- C. Reopen the Ha'ikū Stairs to the public

## III. WORKING GROUP PROCESS

### A. Process

The HSWG met every Wednesday and did the following:

1. All HSWG members expressed what they felt about the Ha'ikū Stairs, what their concerns were, what opportunities the Ha'ikū Stairs presented and what it would take to re-open the Ha'ikū Stairs for public use.
2. Representatives from the Coast Guard, Honolulu Police Department (HPD) and Honolulu Fire Department (HFD) were invited to share their history with the Ha'ikū Stairs, what challenges they face or faced and their position on the Ha'ikū Stairs. The former commanding officer of the Omega Station, Norman Cox and HPD Officer Anderson attended subsequent meetings to provide their experiences with the Ha'ikū Stairs. HFD did not send a representative as their position is to keep the Ha'ikū Stairs closed.
3. All group members were allowed to present their vision for both the Ha'ikū Stairs and Ha'ikū Valley as applicable. Landowners and residents

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were generally in favor of removing the Ha'ikū Stairs, while other group members saw benefits to re-opening the Ha'ikū Stairs.

4. The pros and cons for the removal of the Ha'ikū Stairs, managed access/use of the Ha'ikū Stairs and “do nothing” or maintain the “status quo” were identified. Also discussed was the possibility of a change in ownership of the land on which the Ha'ikū Stairs are located.
5. The pros and cons for ten (10) access points to the Ha'ikū Stairs were identified. The top three likely access points were selected and group members volunteered to approach the landowners to determine if they would allow access.
6. The requirements for managed access were identified and discussed. The cost of insurance required for managed access was researched. But, there were questions whether or not the quote obtained for the necessary insurance was reliable.

Appendix A presents notes from the HSWG meetings, as well as the pros and cons for the removal of the Ha'ikū Stairs, managed access/use of Ha'ikū Stairs and maintaining the “status quo” or doing nothing. Appendix B presents the pros and cons of the various access points to the Ha'ikū Stairs.

### **B. Maintaining the “Status Quo”**

The group was unanimous in that maintaining the “status quo” and doing nothing was not an option. Although the start of 24 hours a day and 7 days a week guard service by the Board of Water Supply (BWS) in September significantly reduced the number of trespassers, residents continue to experience problems. Also, accessing private property without the permission of the landowner is trespassing and illegal.

While several group members advocated for removing the Ha'ikū Stairs as a way to resolve the issue, they agreed, with reservations and conditions, to continue with the process to determine if another option to re-open the Ha'ikū Stairs, such as managed access/use, could be implemented.

### **C. Re-Opening Ha'ikū Stairs**

The general consensus, with reservations and conditions, was that the best way to re-open the Ha'ikū Stairs would be through a managed access/use plan.

After reviewing the pros and cons of the various access points to the Ha'ikū Stairs, the group decided that the top 3 likely access points to the Ha'ikū Stairs, in order of preference, would be:

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1. Windward Community College/State Hospital
2. Hope Chapel
3. Privately owned portions of "Old Ha'ikū Road" (there was some opposition on this choice by group members)

A member of the group spoke with the chancellor of Windward Community College (WCC). The WCC chancellor was open to discussing allowing access to the Ha'ikū Stairs through the WCC campus. But, no on-campus parking could be used by hikers (on campus parking is full). Instead, hikers would have to be shuttled to and from the campus, possibly from a staging area at Kāne'ōhe District Park (KDP). Also, any trails from the WCC campus to the Department of Transportation (DOT) H-3 service road would have to be created and maintained by the managed access/use plan provider. People familiar with the area believe that there is a feasible route from the WCC campus to the DOT H-3 service road.

No response was received from the State Department of Health.

It should be noted that the City Department of Parks and Recreation informally indicated that it would have issues and concerns with the use of KDP as part of a managed access/use plan, because of the possible commercial nature of such a plan. KDP is already heavily used and its parking facilities are usually overloaded especially during the soccer season. Any commercial or non-profit use of KDP may require review and approval by the City Council.

No contact was made with Hope Chapel.

Kamehameha Schools (KS) indicated that they do not allow general public access across its lands, or access without permission and/or an agreement. While KS is willing to consider an access agreement across a portion of "Old Ha'ikū Road" owned by KS that extends mauka from the Kuneki/Makena spur for their tenants, Department of Hawaiian Home Lands (DHHL), BWS or other landowner's activities/uses, they will not consider an access agreement for that portion of "Old Ha'ikū Road" that extends behind He'eia Preschool and within the area leased to their tenants Papahana Kūaola and Hui Kū Maoli Ola.

The group decided that a managed access/use plan would have to include the following:

1. Officially mapped and possibly contained trails and access-ways to the Ha'ikū Stairs located outside and away from residential areas.
2. Planned hiking periods and a set number of hikers that are allowed during each hiking period. Hiking periods should be set so that it minimizes traffic impacts on neighborhoods and residents.

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3. Appropriate instructional, educational/informational, cultural and hazard warning signage at the trailhead, along the Ha'ikū Stairs and at the end of the Ha'ikū Stairs. Several years ago, when the City was planning to reopen Ha'ikū Stairs to the public, they commissioned a study to design the appropriate types of signs that would be required to ensure the safety of hikers and educate them on the natural environment in and around the Ha'ikū Stairs.
4. General and vehicular liability insurance that protects landowners from any and all liabilities (personal injury, damage to personal property, death, etc.) associated with the use of the Ha'ikū Stairs.
5. Facilities (parking, restroom, concession, trash receptacles, rest area, etc.) for hikers.
6. A communications plan via all media platforms (publications, social media, internet, etc.) that would inform potential hikers of the rules and regulations for the managed access/use plan, where the authorized access point(s) would be, etc.
7. Staff to escort hikers from the staging area to the base and/or up and down the Ha'ikū Stairs; to educate hikers on the cultural resources and natural environment in and around the Ha'ikū Stairs, to provide a safety briefing to hikers and to operate and maintain any hiker facilities.
8. An emergency action plan detailing what to do in case of medical and other emergencies before, during and after hikes.
9. Roving and stationery 24-hours a day and 7 days a week security staff with authority to enforce the managed access/use plan, i.e. have the authority and ability to cite and arrest people who do not follow the rules and regulations of the managed access/use plan. It should be noted that although the Coast Guard allowed access through their Omega Station to the Ha'ikū Stairs, they still experienced problems with people circumventing and/or ignoring their procedures.
10. Security measures (fencing and cameras) to help monitor the property to prevent trespassing and criminal activities from occurring.
11. The necessary permits and approvals from landowners and government agencies. Legislation may also be required.
12. A plan for the operation and maintenance of the Ha'ikū Stairs, fencing and other ancillary infrastructure/facilities.

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13. A business plan indicating if it's a non-profit or for-profit operation, what fees will be charged, how revenues will be spent, etc. A business plan for managed access to the Ha'ikū Stairs was previously prepared by Mr. Brinton Reed. It is not known, however, what reasons Mr. Reed had to prepare his plan, or if his work was commissioned by a government agency or private organization.
14. Mechanisms through which residents and landowners' complaints and concerns with the managed access/use plan can be addressed and for recourse if these complaints and concerns are not addressed.

Prior to the implementation of any managed access/use plan, the following other actions would most likely be required:

1. Consult with DOT and Federal Highways Administration (FHWA). DOT would be concerned with how the use of its H-3 service road would impact its MS4 storm drainage permit. Any use that includes a new connection to the drainage system or alters drainage patterns would have to be approved by DOT. In addition, DOT would require the use of Best Management Practices to control runoff and erosion. DOT is not the final authority; FHWA would also have to be consulted and give approval for the use of the H-3 service road.
2. Prepare an Environmental Impact Statement (EIS) or Environmental Assessment (EA) to not only assess the environmental impacts of operating the Ha'ikū Stairs, but also set the capacity of the Ha'ikū Stairs at any one time.
3. Evaluate the structural condition of the Ha'ikū Stairs and construct any improvements to repair any deficiencies.
4. Replace any existing signs at other known access points that mention Ha'ikū Stairs with generic "No Trespassing" signs so as to not advertise that the Ha'ikū Stairs can be accessed from those locations. Also, install a sign at the interface between Ha'ikū Stairs and the Moanalua Valley trail to indicate that access to Ha'ikū Stairs is only allowed via the managed access/use plan. The State Department of Land and Natural Resources can also be asked to alter its trail program literature to indicate that the Ha'ikū Stairs is open only through the approved managed access/use plan.
5. Install and maintain fencing and security measures at other access points to ensure that access occurs only where authorized.
6. Obtain consents of entry, a DOT Access Document and possibly easements to ensure legal access over, across and through private landowners' properties. It should be noted if the managed access/use plan

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is a for-profit venture, landowners may charge a fee for the use of their properties or require payment of a percentage of any profits/revenues generated from the managed access/use plan.

A plan for managed access/use of Ha'ikū Stairs faces many challenges. There's no guarantee that any plan provider can comply with all the requirements identified above.

Another issue that was discussed was the option of changing landowners. Throughout the course of the group meetings, BWS, KS and DHHL mentioned that the recreational use of Ha'ikū Stairs is not in alignment with their respective missions. A change in land ownership could not only relieve existing landowners from liability, but also align the recreational use of the Ha'ikū Stairs with the new landowner's specific mission. BWS, pending approval by its Board and the City Council, is open to considering the sale of its lands on which the Ha'ikū Stairs are located. Funding for the purchase of the BWS/City lands might be available via the State Legacy Land fund of the City's Clean Water/Natural Lands fund. Another route could be the creation of a cultural preserve or park, which has been tried several times in the past. Such a venture would ensure a 24 hours per day, 7 days a week presence in the valley that could help protect residents and landowners from trespassing, criminal activities, vandalism and other nuisances. The only drawback is that changing landownership can be a very long and arduous process and require legislation and political will.

### D. Removing Ha'ikū Stairs

To remove the stairs, BWS anticipates having to:

1. Prepare an EIS or EA to evaluate the impact removal would have on the natural environment, on cultural resources in, around and near the Ha'ikū Stairs, and on the community (not just affected residential neighborhoods, but the general public as well). Because removal of the Ha'ikū Stairs would be controversial and face significant opposition, an EIS, and not an EA, may be required.
2. Perform a preliminary engineering and basis of design study to address the removal process; construction access; disposal of the stairs infrastructure; environmental controls, restoration of the areas, permitting, etc. This would help BWS create the scope of work for the safe and complete removal of the Ha'ikū Stairs.
3. Obtain a construction permit from DOT for any removal work.

Conservative cost estimates for an EIS and the preliminary engineering and basis of design study are \$500,000 and \$200,000, respectively. Construction costs to remove the Ha'ikū Stairs obtained from the City are estimates to be



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approximately \$3 to \$4 million. Thus, the combined cost to remove the Ha'ikū Stairs is estimated to be approximately \$4 to \$5 million.

### IV. CONCLUSIONS/RECOMMENDATIONS

#### A. Utilize WCC to Access Ha'ikū Stairs.

1. The HSWG recommends the most feasible way to open Ha'ikū Stairs is through managed access.
2. Access through WCC became the HSWG's primary choice and received a consensus as the most feasible access point that "may work." Many HSWG members understand that utilizing WCC requires approval from public landowners.

#### B. WCC Stipulations to Access Ha'ikū Stairs.

A HSWG member spoke with the Chancellor of WCC. The WCC chancellor indicated that access through the WCC campus may be possible if the following stipulations are met.

1. Potential hikers must park at KDP. Hikers may not park within the WCC campus.
2. Hikers cannot be allowed to interfere with WCC students, staff, faculty or operations. Thus, hikers would have to be escorted through the WCC campus going to and returning from the trail that leads from the WCC campus to the Ha'ikū Stairs. The WCC chancellor believed this was the best means to prevent disruption to the WCC campus.
3. Any potential entity managing hiker access must take care of the vegetation at the various WCC campus access points.

#### C. Comments from HSWG Members

1. BWS. The BWS representative stated that BWS would have to be indemnified from any liability from hikers accessing the Ha'ikū Stairs on BWS land. The representative added that an appropriate, favorable EIS would likely have to be completed under this option.
2. DHHL. The DHHL representative also stated that DHHL would have to be indemnified from any liability from hikers accessing the Ha'ikū Stairs by traveling through DHHL property. The DHHL representative added that they would expect sharing profits from any managed access venture to support DHHL's core mission of homesteading and agriculture (see Appendix C).

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3. DOT. The DOT representative stated that any managed access venture or contractor removing the Ha'ikū Stairs would have to submit a request for a permit to conduct any activities near and/or below the H-3. The permit would first go through the DOT and then the FHWA for final approval. The DOT representative added DOT would assist with the permit process only, not advocate any particular course of action.
4. Other Landowner/Tenant Comments. Representatives from KS, Papahana Kūaola and Hui Kū Maoli Ola indicated that they were in favor of managed access utilizing the WCC campus. Access through the WCC campus would not impact their respective land areas or detract from their core missions.
5. Friends of Ha'ikū Stairs (FHS). The FHS representative and HSWG members supporting FHS believed managed access through the WCC campus was a feasible solution.
6. Residents.
  - a. HSWG members representing residential areas at the Kuneki Street and Puoni Place access points believe that access through the WCC campus is the only feasible option. The WCC campus access is the only option that does not go through a residential community area or requires vast funding to modify landscapes.
  - b. Adequate security fencing and signage should be installed at all unauthorized access points; e.g. Kuneki Street, Puoni Place, "Old Ha'ikū Road," Puulau Place/Kuneki Way drainage channel, etc.; to prevent hikers who decide not to use or bypass the managed access route through the WCC campus, from accessing the Ha'ikū Stairs by trespassing on residents' properties. Securing the unauthorized access points should not be an afterthought or a planning item added after the WCC campus access route is established. Instead, securing the unauthorized access points should be a prerequisite of any plans to utilize the WCC campus.

**APPENDIX A  
THE HA'IKU STAIRS WORKING GROUP MEETING NOTES (July – Oct. 1, 2014)**

DATE	SUBJECT MATTER	PROS	CONS	OTHER COMMENTS	ATTENDANCE
8/6/2014	ATTENDANCE			Woodside asked that a representative of Hui Kū Maoli Ola (Rick Barboza) be notified of meetings and urged to attend. It was also suggested that a rep of DOT be invited to attend.	Rae Leong (Ha'ikū Village resident) Ken Rose (Ha'ikū Village resident) Ulialia Woodside (Kamehameha Schools) Holly Sevier (HV resident & Kāne'ōhe NB rep for Ha'ikū Village) Vernon Ansdell (Friends of Ha'ikū Stairs) Mo Radke (Kāne'ōhe NB chair of HS task force) Mahealani Cypher (Ko'olau Foundation & Ko'olau HCC)
	DISCUSSION OF OPTIONS			<ul style="list-style-type: none"> <li>1) Tear down the stairs</li> <li>2) Do nothing (status quo)</li> <li>3) Landowners agree to "managed access" if conditions are satisfied</li> <li>4) Land ownership changes</li> <li>5) Managed access</li> </ul>	
	DISCUSSION OF PROS & CONS				
	TEAR DOWN STAIRS (Option #1)	<ul style="list-style-type: none"> <li>a) Reduced adverse impact on residents near access points</li> <li>b) Reduced liability exposure</li> <li>c) Reduced low-level crime, vandalism impact on general area</li> <li>d) No maintenance or security cost</li> <li>e) Fewer rescues would be needed</li> <li>f) Reduced environmental impact on area</li> <li>g) Reduced access to Wao Akua (restores sanctity of culturally important areas)</li> </ul>	<ul style="list-style-type: none"> <li>a) Loss of prime hiking opportunity</li> <li>b) Cost of removal</li> <li>c) Loss of structure eligible for listing on National Register of Historic Places</li> <li>d) Loss of easy access for scientific &amp; cultural purposes &amp; research</li> <li>e) Loss of potential revenue source</li> <li>f) Loss of physical training site</li> <li>g) Adverse environmental impact from removal activity</li> </ul>		
	DO-NOTHING (STATUS QUO) (Option #2)	<ul style="list-style-type: none"> <li>a) It's the "easy" thing to do.</li> <li>b) People who want to hike the stairs will continue to do so</li> </ul>	<ul style="list-style-type: none"> <li>a) Land remains relatively unsupervised</li> <li>b) Criminal activity continues</li> <li>c) Stairs will deteriorate in time</li> <li>d) Increase in liability exposure for owner of stairs, other landowners</li> <li>e) Encourages lawlessness and disrespect, fosters tension in the community</li> <li>f) Threat to safety of hikers going at night</li> </ul>		

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<p><b>LANDOWNERS ALLOW MANAGED ACCESS (Option 3)*</b></p>	<p>a) Legal, safe, daylight hiking b) All of the "cons" from Option #1</p> <ol style="list-style-type: none"> <li>i. Prime hiking opportunity available for public</li> <li>ii. Potential savings with no removal costs</li> <li>iii. Potential to list stairs on National Register</li> <li>iv. Easy access for scientific and cultural purposes &amp; research</li> <li>v. Potential revenue source to cover cost of 24-hour security and enforcement</li> <li>vi. Availability of potential physical training site</li> <li>vii. Potential educational opportunities</li> <li>viii. No environmental impacts from removal activity</li> </ol> <p>c) May mitigate adverse impacts to residents near access points d) Possible increase in property values if area is secured and improved e) Safer access for the community, including nearby residents</p>	<p>a) Managing access remains a challenge, may not resolve several issues b) Assuming some continue to use current access routes – trespassing "muscle memory" for those who know no different access points c) Does not remove safety issue for community (unless there is increased security / enforcement) d) Potential adverse impact to neighboring properties e) Compatibility of high traffic public use with neighboring property issues still remain.</p>	<p>* Assuming liability for affected landowners is indemnified by whoever assumes management / ownership of stairs, access, parking, etc.</p>
<p><b>LAND OWNERSHIP CHANGES (Discussion)</b></p>			<p>Relief from liability for current landowners, i.e., BWS, DHHL, KS, DOT</p> <p>Recreational stair use can be an aligned use to the mission of a different landowner</p> <p>Funding to acquire BWS land (and other lands?) could come from State Legacy Land fund or City's Clean Water/Natural Lands fund</p> <p>Land exchange possible between DHHL &amp; OHA</p>

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			<p>Good will can be derived from a comprehensive plan</p> <p>Will take "political will" for Mayor and Governor to agree to a multi-part plan for conversion of land ownership and development of a cultural preserve or park to ensure a 24-hour presence in the valley, protect residents and landowners from trespassers, vandals and others who cause problems</p>	
8/13/2014	Review of pros/cons from notes of Aug. 6, 2014, meeting		<p>Option #3, need to add to assumptions regarding "Managed Access"</p> <p>Option #2, status quo – should be omitted since all agree this is not acceptable</p> <p>Vandalism not tied only to hikers (could be chronics, copper thieves, etc.)</p>	<p>Ken Rose (Ha'ikū Village resident) Rae Leong (Ha'ikū Village resident) Ulala Woodside (Kamehameha Schools) Holly Sevier (Kāne'ōhe NB rep for Ha'ikū Village) Vernon Ansdell (Friends of Ha'ikū Stairs) Melissa Miranda-Johnson (Mayor's office rep) Kapaliku Schirman (Papahāna Kūāōia) Rick Barboza (Hui Kū Maoli Oia) Shelly Carreira (DHHI) Mike Matsuo (BWS) Mo Radke (Kāne'ōhe NB chair-Ha'ikū Stairs TF) Mahealani Cypher (Ko'olaupoko Foundation and Ko'olaupoko Hawaiian Civic Club)</p>
		<p>1. Unsafe trekking 2. Liability 3. Environmental impact 4. Disruption of business activities 5. Parking on residential streets 6. No toilet facilities, and trash problems 7. Potential for confrontations with landowners 8. Trespassing</p>	<p>Homework: come up w/ "pro" arguments for why some access points may be better than others</p>	
	ACCESS POINT: HA'IKU STREAM			

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**THE HA'IKU STAIRS WORKING GROUP MEETING NOTES (July – Oct. 1, 2014)**

<p><b>ACCESS POINT:</b> "OLD HA'IKU ROAD"</p>		<ol style="list-style-type: none"> <li>1. Liability</li> <li>2. Disruption of business activities</li> <li>3. Parking on residential streets</li> <li>4. No toilet facilities, and trash problems</li> <li>5. Potential for confrontations with landowners</li> <li>6. Trespassing</li> <li>7. Risk to preschool children</li> <li>8. Road is a liability / incur maintenance cost</li> <li>9. Property disputes extend into road (may be costly to resolve)</li> </ol>	
<p><b>ACCESS POINT:</b> KUNEKI STREET ("Old Ha'ikū Road" main gate)</p>		<ol style="list-style-type: none"> <li>1. Liability</li> <li>2. Parking on residential streets</li> <li>3. No toilet facilities, and trash problems</li> <li>4. Potential for confrontations with landowners</li> <li>5. Trespassing</li> </ol>	
<p><b>ACCESS POINT: LOLI'I STREET</b></p>		<ol style="list-style-type: none"> <li>1. Liability</li> <li>2. Parking on residential streets</li> <li>3. No toilet facilities, and trash problems</li> <li>4. Potential for confrontations with landowners</li> <li>5. Trespassing</li> </ol>	
<p><b>ACCESS POINT: PUONI PLACE</b></p>		<ol style="list-style-type: none"> <li>1. Liability</li> <li>2. Parking on residential streets</li> <li>3. No toilet facilities, and trash problems</li> <li>4. Potential for confrontations with landowners</li> <li>5. Trespassing</li> </ol>	
<p><b>ACCESS POINT:</b> PUULAU PLACE/KUNEKI WAY DRAINAGE CHANNEL</p>		<ol style="list-style-type: none"> <li>1. Unsafe trekking</li> <li>2. Liability</li> <li>3. No toilet facilities, and trash problems</li> <li>4. Trespassing</li> </ol>	

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	ACCESS POINT: HOPE CHAPEL		<ul style="list-style-type: none"> <li>1. Liability</li> <li>2. No toilet facilities, and trash problems</li> <li>3. Potential for confrontations with landowners</li> <li>4. Trespassing</li> </ul>		
	ACCESS POINT: WINDWARD COMMUNITY COLLEGE / DOH/DOT		<ul style="list-style-type: none"> <li>1. Liability</li> <li>2. No toilet facilities, and trash problems</li> <li>3. Trespassing</li> </ul>		
	ACCESS POINT: MOANALUA VALLEY		<ul style="list-style-type: none"> <li>1. Unsafe trekking</li> <li>2. Liability</li> <li>3. No toilet facilities, and trash problems</li> <li>4. Potential for confrontations with landowners</li> <li>5. Trespassing</li> </ul>		
8/20/2014	Discussion on the Pro's of various access points			Both Ha'iku Stream and Puulau Street drainage ditch access points were declared in appropriate access points due to safety and environmental concerns – group agreed by consensus – and both were eliminated	<p>Ken Rose (Ha'iku Village resident)  Rae Leong (Ha'iku Village resident)  Holly Sevier (Ha'iku Village resident, NB rep)  Melissa Miranda-Johnson (Mayor's rep)  Mo Radke (Kāne'ohe NB chair of HS task force)  Vernon Ansdell (Friends of Ha'iku Stairs)  Shelly Carreira (DHHL)  Mike Matsuo (BWS)  Mahealani Cypher (Ko'olau Fdn / Ko'olaupoko Hawaiian Civic Club)</p>
	MOANALUA VALLEY	<ul style="list-style-type: none"> <li>• Good hike for experienced hikers</li> <li>• Away from the neighborhoods</li> <li>• Ample public parking available at nearby parks</li> <li>• Restrooms available at nearby parks</li> <li>• Away from neighborhoods</li> <li>• Deterrent to reduce crime on vacant land mauka of WCC</li> <li>• Opportunity to create pathway &amp; fencing to manage access better</li> </ul>			
	WCC/DOH/DOT				

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HOPE CHAPEL	<ul style="list-style-type: none"> <li>• Parking available</li> <li>• Away from residential neighborhoods</li> <li>• Back gate onto service road</li> <li>• Easiest hike to get to stairs (avoids bamboo forest)</li> <li>• Access via county public roads</li> <li>• Well-known access point</li> <li>• Easiest hike to get to stairs (avoids bamboo forest)</li> <li>• Access via county public roads</li> </ul>				
PUONI PLACE	<ul style="list-style-type: none"> <li>• Access on county and state roads (except for short section of KSBE roadway at the gate)</li> <li>• Most well-known access point</li> <li>• Parking possible inside the valley (w/ DHHL permission)</li> </ul>				
LOLI'I STREET	<ul style="list-style-type: none"> <li>• Reduces traffic through the neighborhood &amp; Kuneki St.</li> <li>• Diverts Kamakau school traffic away from Kuneki</li> <li>• Avoids residential area</li> <li>• Kuneki Road could possibly be fenced off to reduce impact on neighbors at that access point</li> </ul>				
KUNEKI ST/ MAIN GATE AT "OLD HA'IKU RD"	<ul style="list-style-type: none"> <li>• Avoids neighborhoods</li> <li>• Avoids most landowners except DOT</li> <li>• Provides access for other activities</li> <li>• Re-route utility trucks and emergency vehicles outside neighborhoods</li> <li>• Helps remove invasive species</li> <li>• Parking possible alongside</li> </ul>	<ul style="list-style-type: none"> <li>• DOT might oppose?</li> <li>• Road needs major improvements, costly fixes</li> <li>• No parking (see above)</li> <li>• No facilities</li> <li>• Liability/safety issues</li> <li>• Environmental issues (state &amp; BWS)</li> <li>• Current administration is "fame duck"</li> </ul>	<ul style="list-style-type: none"> <li>• Parking available</li> <li>• Away from residential neighborhoods</li> <li>• Back gate onto service road</li> <li>• Easiest hike to get to stairs (avoids bamboo forest)</li> <li>• Access via county public roads</li> <li>• Well-known access point</li> <li>• Easiest hike to get to stairs (avoids bamboo forest)</li> <li>• Access via county public roads</li> </ul>		
"OLD HA'IKU ROAD"	<ul style="list-style-type: none"> <li>• Reduces traffic through the neighborhood &amp; Kuneki St.</li> <li>• Diverts Kamakau school traffic away from Kuneki</li> <li>• Avoids residential area</li> <li>• Kuneki Road could possibly be fenced off to reduce impact on neighbors at that access point</li> </ul>				
NEW IDEA: RECONNECT LIKELIKE HIGHWAY TO H-3 SERVICE ROAD	<ul style="list-style-type: none"> <li>• Avoids neighborhoods</li> <li>• Avoids most landowners except DOT</li> <li>• Provides access for other activities</li> <li>• Re-route utility trucks and emergency vehicles outside neighborhoods</li> <li>• Helps remove invasive species</li> <li>• Parking possible alongside</li> </ul>	<ul style="list-style-type: none"> <li>• DOT might oppose?</li> <li>• Road needs major improvements, costly fixes</li> <li>• No parking (see above)</li> <li>• No facilities</li> <li>• Liability/safety issues</li> <li>• Environmental issues (state &amp; BWS)</li> <li>• Current administration is "fame duck"</li> </ul>	<ul style="list-style-type: none"> <li>• Parking available</li> <li>• Away from residential neighborhoods</li> <li>• Back gate onto service road</li> <li>• Easiest hike to get to stairs (avoids bamboo forest)</li> <li>• Access via county public roads</li> <li>• Well-known access point</li> <li>• Easiest hike to get to stairs (avoids bamboo forest)</li> <li>• Access via county public roads</li> </ul>	<ul style="list-style-type: none"> <li>• DOT might oppose?</li> <li>• Road needs major improvements, costly fixes</li> <li>• No parking (see above)</li> <li>• No facilities</li> <li>• Liability/safety issues</li> <li>• Environmental issues (state &amp; BWS)</li> <li>• Current administration is "fame duck"</li> </ul>	<ul style="list-style-type: none"> <li>• Parking available</li> <li>• Away from residential neighborhoods</li> <li>• Back gate onto service road</li> <li>• Easiest hike to get to stairs (avoids bamboo forest)</li> <li>• Access via county public roads</li> <li>• Well-known access point</li> <li>• Easiest hike to get to stairs (avoids bamboo forest)</li> <li>• Access via county public roads</li> </ul>



**APPENDIX A  
THE HA'IKU STAIRS WORKING GROUP MEETING NOTES (July – Oct. 1, 2014)**

	<p>service road near stairs</p>	<ul style="list-style-type: none"> <li>• New administration won't give it priority</li> <li>• Hikers will look for easier exits, e.g., via neighborhoods</li> </ul>	<p>Uliala Woodside: reported that she and her land management team explored access points to Ha'ikū valley and the stairs recently, could not find an access road from the valley loop road to the DOT service road or Ha'ikū Stairs. Mahealani pointed out that there is a construction road that connects the loop road to the service road. Woodside noted the Stairs appear in good condition, and that there was a variety of rare and endangered native Hawaiian plant species alongside the stairs. She also noted many invasive species along the trail. She was concerned about severe damage to buildings and vegetation at top of the stairs, in the "Wao Akua" (which is sacred to Hawaiians).</p>	<p>Ken Rose (Ha'ikū Village resident) Rae Leong (Ha'ikū Village resident) Mo Radke (chair, Kāne'one NB task force on HS) Mike Matsuo (BWS) David Rodrigues (DOT) Uliala Woodside (Kamehameha Schools) Vernon Ansdell (Friends of Ha'ikū Stairs) Holly Sewier (Ha'ikū Village resident, NB rep) Mahealani Cypher (Ko'olaupoko Foundation / Ko'olaupoko Hawaiian Civic Club)</p>
<p>8/27/2014</p>	<p>REPORTS FROM COMMITTEE MEMBERS</p>		<p>Mike Matsuo and Mahealani Cypher brought additional maps for members to review.</p> <p>Mo Radke reported that he had been checking into potential coverage for a nonprofit to operate and manage the Stairs, and was given an estimate of \$25,000 per year for coverage, a figure he feels is unjustified given the history of the stairs and lack of serious injuries reported.</p>	

**APPENDIX A**  
**THE HA'IKU STAIRS WORKING GROUP MEETING NOTES (July – Oct. 1, 2014)**

<p><b>WHAT IS "MANAGED ACCESS"?</b> Committee members were tasked to define what they consider to be optimal managed access, should the Ha'iku Stairs be reopened.</p>	<p><u>Carrying capacity</u> – numbers of people and/or vehicles would need to be limited to a set amount per day (can be affected by weather)</p> <ul style="list-style-type: none"> <li>• Number of people on the stairs at any given time</li> <li>• Avoid "Peak Hours" to minimize traffic impact on neighborhoods</li> </ul>	<p><u>Signage</u></p> <ul style="list-style-type: none"> <li>• Instructional</li> <li>• Warn of hazards</li> <li>• Education / informational</li> <li>• Cultural</li> <li>• Security</li> </ul>	<p><u>Landowner Indemnification</u></p> <ul style="list-style-type: none"> <li>• Insurance</li> <li>• Land use agreements</li> <li>• Passage of legislation</li> </ul>	<p><u>Communications Plan</u></p> <ul style="list-style-type: none"> <li>• Outreach via media to all concerned (various media, internet, YouTube, etc.)</li> <li>• Inform the public, hikers, where the legal access point would be</li> </ul>
	<p><u>Security</u></p> <ul style="list-style-type: none"> <li>• 24-hour enforcement, both roving &amp; stationary</li> <li>• Perhaps off-duty HPD? (guard needs to be able to arrest trespassers)</li> <li>• DOCARE officers?</li> <li>• Fencing, gates where needed</li> <li>• Cameras (use game cameras?)</li> </ul>			

**APPENDIX A**  
**THE HA'IKU STAIRS WORKING GROUP MEETING NOTES (July – Oct. 1, 2014)**

				<p><b>Officially mapped trails or access ways</b></p> <ul style="list-style-type: none"> <li>• Avoid residential areas</li> </ul> <p><b>Facilities/People</b></p> <ul style="list-style-type: none"> <li>• Parking</li> <li>• Restrooms</li> <li>• Trash receptacles/ removal</li> <li>• Staff &amp; volunteers or docents</li> <li>• Concession</li> <li>• Emergency action plan (contingencies)</li> </ul>
				<p><b>Business Plan</b></p> <ul style="list-style-type: none"> <li>• Operation by non-profit vs. for-profit</li> <li>• Revenues from permit / access fees, etc.</li> <li>• If fees are charged, cultural service work could substitute for fee</li> </ul>
				<p><b>TOP OPTIONS – Based on preferences by two groups on committee:</b></p>
				<p>1. Kane'one District Park / Windward Community College</p> <p>2. Hope Chapel</p> <p>3. "Old Ha'iku Road" gate</p> <p><b>Concerns Raised:</b></p> <ul style="list-style-type: none"> <li>• Kamehameha Schools – "Old Ha'iku Road" inadequate, too narrow, in need of repair; use would impact and is not compatible with current operations of preschool, 'āina based education program and nursery</li> <li>• Kuneki Street resident – opposes use of Ha'iku gate because of traffic problems created</li> </ul>

**APPENDIX A  
THE HA'IKU STAIRS WORKING GROUP MEETING NOTES (July – Oct. 1, 2014)**

	<ul style="list-style-type: none"> <li>• Puoni Place resident also opposes use of Ha'ikū gate because of safety concerns</li> <li>• Both Kuneki St. and Puoni Pl. residents oppose use of either Ha'ikū gate or Puoni Pl. access</li> <li>• Friends of Ha'ikū Stairs – "Old Ha'ikū Road" diverts traffic outside the subdivision, including traffic from Kamakau school</li> <li>• DOT – traffic along Kuneki or "Old Ha'ikū Road" can be managed through a managed access plan</li> </ul>				
	<p><b>Homework for next week:</b></p> <ol style="list-style-type: none"> <li>1. Check w/ WCC/DOH regarding access via their campuses (Mahealani)</li> <li>2. Check w/ Hope Chapel &amp; Diocese re: access via their gate (Mo)</li> <li>3. Check on Likelike access to DOT service road (David Rodrigues)</li> </ol>				
	<p><b>Mahealani</b> – checked w/ WCC chancellor Dykstra, who indicated they would be open to allowing access via their campus on two conditions: (1) no parking on campus (cars could park at district park?); and (2) all hikers would need to be escorted in and out of the WCC campus.</p>			<p><b>REPORTS FROM MEMBERS</b></p>	<p>9/3/2014</p>

APPENDIX A  
THE HA'IKU STAIRS WORKING GROUP MEETING NOTES (July – Oct. 1, 2014)

COMPARISON OF ACCESS POINTS TO HA'IKU STAIRS

ACCESS POINT	Vehicular Access to Stairs	Public Parking available	Restrooms available	Away from residences	Well-known	Removes invasive	Additional costs	Landowner Crossings	Other
Moanalua Valley	Via Moanalua Valley park	X	X	X	X			C&C / State	Not direct access
Ha'ikū Stream					X		X	C&C / private	Not acceptable
Puulau Place/Kuneki Way Drainage Channel								C&C	Not acceptable
*Old Ha'ikū Road"/Ha'ikū Gate					X		X	Private	No direct access; access from valley, loop road needs to be restored
Kuneki Street Gate					X		X	C&C / private	Not direct access; access from valley loop road
Puoni Place	X							C&C / private	BWS easement
Lolii Street	X							C&C / private	
Hope Chapel	X	Private pkg						C&C / private	Catholic Diocese
Windward CC/State DOH	X	X	X	X				C&C / State	Trail mauka of WCC past DOH facility
Likely to H-3 service road	X			X			X	State	Connection needs to be restored

TWO PRIMARY OPTIONS: IMPACT OF VARIOUS SCENARIOS

SCENARIO	EA/EIS NEEDED	Reduces trespass/neighbor Nuisance	Residual Trespass Nuisance	Reduces Landowner Liability	Additional Costs	Reduces long-term human Impacts	Reduces impact to Wao Akua	Educational / Hiking / Training opportunity	Retain historic property	Access for scientific & cultural purposes	Revenue generator	Increase property values	Compatibility with residential neighborhood
REMOVE STAIRS	X	X	Chronics, renegades	X	Est. \$4-5 million to remove	X	X					Less nuisance	X
MANAGED ACCESS	X	X	Chronics, Renegades	X	Est. \$7k for maint. /mgmt		Depends on capacity	X	X	X	X	Community amenity	Depends on capacity

## APPENDIX B – ACCESS POINTS TO HA‘IKŪ STAIRS

The ten (10) access points to the stairs discussed by the group were:

1. Moanalua Valley Trail
2. Ha‘ikū Stream
3. Puulau Place/Kuneki Way Drainage Channel
4. “Old Ha‘ikū Road”
5. Kuneki Street Gate
6. Puoni Place Gate
7. Lolii Street Cul-de-sac
8. Hope Chapel
9. Windward Community College/State Hospital
10. Likelike Highway Access to H-3 Service Road

The group unanimously decided that Ha‘ikū Stream and the Puulau Place/Kuneki Way drainage channel were inappropriate due to safety and environmental concerns. The Moanalua Valley Trail was also eliminated as it was not entirely relevant to the problems being experienced by the community. The pros and cons for each that the group identified are presented below:

### “OLD HA‘IKŪ ROAD”:

PROS	CONS
Reduces traffic through neighborhood and Kuneki Street gate	Unacceptable liability exposure
Diverts Kamakau Charter School traffic away from Kuneki Street gate.	Disrupts operations and business activities of landowner and tenants
Avoids residential area.	Would result in parking on residential streets
Kuneki Street could be fenced off to reduce impact on neighbors at that access point.	No toilet facilities available, trash problems
	Potential for confrontations with landowners
	Use is illegal and constitutes trespassing

### KUNEKI STREET GATE:

PROS	CONS
Provides easy access to stairs via paved road. (An old construction road would need to be reopened.)	Unacceptable liability exposure
Access via county and state roads (except for section across KS and Hui Kū Maoli Ola property).	Disrupts operations and business activities of landowners and tenants
Is a well-known access point.	Would result in parking on residential streets
Parking possible inside the valley (with DHHL permission).	No toilet facilities available, trash problems
	Potential for confrontations with landowners
	Use constitutes trespassing

## APPENDIX B – ACCESS POINTS TO HA'IKŪ STAIRS

### PUONI PLACE GATE:

PROS	CONS
Easiest hike to get to stairs (avoids bamboo forest)	Unacceptable liability exposure
Access via county public roads.	Would result in parking on residential streets
Is a well-known access point	No toilet facilities available, trash problems
	Potential for confrontations with landowners
	Use constitutes trespassing

### LOLII STREET CUL-DE-SAC:

PROS	CONS
Easiest hike to get to stairs (avoids bamboo forest)	Unacceptable liability exposure
Access via county public roads.	Would result in parking on residential streets
	No toilet facilities available, trash problems
	Potential for confrontations with landowners
	Use constitutes trespassing

### HOPE CHAPEL:

PROS	CONS
Parking available on-site	Unacceptable liability exposure
Away from residential neighborhoods	No toilet facilities available, trash problems
Back gate opens to service road	Potential for confrontations with landowners
	Use constitutes trespassing

### WINDWARD COMMUNITY COLLEGE/STATE HOSPITAL:

PROS	CONS
Ample parking available nearby	Unacceptable liability exposure
Restrooms available at nearby City parks	No toilet facilities available, trash problems
Away from residential neighborhoods	Use constitutes trespassing
Could be a deterrent to reduce crime in vacant land mauka of WCC	Patient privacy issues with State Hospital
Opportunity to create pathway and fencing to manage access better.	

## APPENDIX B – ACCESS POINTS TO HA'IKŪ STAIRS

### LIKELY HIGHWAY ACCESS TO H-3 SERVICE ROAD:

PROS	CONS
Avoids residential neighborhoods	DOT may oppose use
Avoids all landowners except DOT	Road would need major and costly improvements.
Provides access for other activities	No parking
Re-routes utility trucks and emergency vehicles outside residential neighborhoods	No facilities for hikers
Helps remove invasive species	Liability/safety issues
Parking could be possible alongside H-3 service road near the stairs trailhead	Environmental issues (for State and BWS)
	Current administration is “lame duck” which could result in delays for approvals
	New administration may not give this proposal a high priority
	Hikers will look for easier exits such as through residential neighborhoods.
	Vehicle access difficult



## APPENDIX C – LETTER FROM LANDOWNER

The following letter was received from landowner Department of Hawaiian Home Lands (DHHL) on September 26, 2014:

NEH ADR/ADMIN/ED:  
TERRANCE  
STATE CHAIRMAN



GEORGE E. SHERIDAN  
CHAIRMAN  
HAWAIIAN HOME LANDS COMMISSION

GARRETT STEINE  
DEPUTY TO THE CHAIRMAN

### STATE OF HAWAII DEPARTMENT OF HAWAIIAN HOME LANDS

P. O. BOX 1479  
HONOLULU, HAWAII 96812

September 26, 2014

Mahealani Cypher, Koolaupoko Hawaiian Civic Club  
Rae Leong, Hukulele Resident  
Ken Rose, Haiku Village Resident  
Ulalia Woodside, Kanehameha Schools  
Holly Sevier, Kaneohe Neighborhood Board  
Vernon Ansdell, Friends of Haiku Stairs  
Mo Radke, Kaneohe Neighborhood Board  
Mike Matsuo, Board of Water Supply  
Kapaliku Schirman, Hui Ku Maoli Ola  
David Rodriguez, Department of Transportation  
Melissa Miranda-Johnson, Office of the Mayor

Dear Members of Haiku Stairs Working Group:

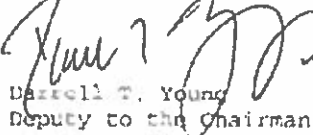
Subject: Haiku Stairs, Koolaupoko, Island of Oahu

The Department of Hawaiian Home Lands (DHHL) appreciates the opportunity to serve on the Haiku Stairs Working Group and everyone's mana'o that has been shared during these meetings.

As mentioned at the meeting of September 17, 2014, based on safety and liability concerns with regards to a managed access through Hawaiian home lands, the risk to the department is far too great for consideration; therefore prudent management dictates that DHHL maintain its position to **NOT SUPPORT** the opening of Haiku Stairs. This position remains consistent with that of previous administrations.

Should you have questions, please call Shelly Carreira, Land Agent, Land Management Division at 620.9459.

Aloha,

  
Darrell T. Young  
Deputy to the Chairman

## **APPENDIX C – LETTER FROM LANDOWNER**

Any managed access/use plan would require traversing a portion of DHHL property, which is coincident with the easements granted to the State Department of Transportation (DOT) for the Interstate H-3 Highway right of way. Thus, DHHL's letter appeared to be problematic. Email discussions with Darrell Young, Deputy to DHHL's Chair, however, indicated that there is a possibility that use of their property might be possible under certain special conditions. These special conditions, which are included in the existing License Agreement #525 between DHHL and the City, involve the negotiation of rent if commercial activities are conducted on the subject DHHL property.