

MINUTES

PUBLIC HEARING AND THE REGULAR MEETING OF THE BOARD OF WATER SUPPLY

April 27, 2020

The Public Hearing was held in the Board Room of the Public Service Building at 630 South Beretania Street, Honolulu, Hawaii, to Consider (1) Haiku Stairs.

Present: Bryan P. Andaya, Chair
Kapua Sproat, Vice Chair *via WebEx*
Kay C. Matsui *via conference call*
Ray C. Soon
Max J. Sword
Ross S. Sasamura *via conference call*
Jade T. Butay *via WebEx*

Also Present: Ernest Lau, Manager and Chief Engineer
Ellen Kitamura, Deputy Manager and Chief Engineer
via WebEx
Barry Usagawa, Program Administrator,
Water Resources *via WebEx*
Deanna Thyssen, Private Secretary for
Manager and Chief Engineer
Steven Nordstrm, Information Specialist II,
Communications
Nicole Rodwell, Secretary III, Information Technology

Others Present: Jeff Lau, Deputy Corporation Counsel
via conference call
Moana A. Yost, Deputy Corporation Counsel
via conference call
Jeff Overton, G70 *via WebEx*
Cody Winchester, G70 *via WebEx*
Rachel Shaak, G70 *via WebEx*
Laura Savo, Honolulu Court Reporter

The public hearing and board meeting were transcribed by a court reporter. If you would like to view the court reporters transcript it is attached to the minutes.

PUBLIC HEARING RE: HA'IKU STAIRS

At 5:00 PM, Chair Andaya called to order the Public Hearing.

Chair Andaya introduced the Board members by roll-call. Board members Ray Soon and Max Sword were present in the Board room. Vice Chair Kapua Sproat and Board member Jade Butay were present via video conference (Webex), and Board members Ross Sasamura and Kay Matsui participating via conference call.

Chair Andaya noted that also present in the Board room was Manager and Chief Engineer Ernest Lau, Board Secretary Deanna Thyssen, and BWS staff members Steven Norstrom and Nicole Rodwell to assist with telephone testimonies. Court reporter, Laura Salvo was also present to transcribe all testimonies received during the Public Hearing.

Chair Andaya stated that several modifications were implemented to conduct the Board meeting in light of the COVID-19 pandemic and in compliance with the stay-at-home orders by Governor Ige and Mayor Caldwell. To minimize the number of people in the Board room, Board members were given the option to participate remotely. Only essential staff were physically present in the Board room. All presentations were done virtually. Chair Andaya noted that everyone present in the Board room was using face coverings and practicing social distancing.

Members of the public were not allowed in the Board room, however, several options were offered to provide public testimony. These options were written testimony, on-line testimony, telephone testimony during the Board meeting, and/or video conferencing testimony from the Beretania Public Service Building lobby during the Board meeting.

Chair Andaya thanked everyone for being flexible with all the modifications to conduct the Board Meeting. The Board members realized that Haiku Stairs was a very important topic to the community and wanted to maximize the opportunity for the public to provide testimony.

At 5:04 pm, Chair Andaya officially opened the Public Hearing on Haiku Stairs.

Chair Andaya reminded all testifiers that a court reporter was present in the Board room and would be transcribing the testimonies and discussions during the Board Meeting. The court reporter is not able to note hand gestures, nods, or shaking of heads, so it important to clearly verbalize the presentations, testimonies, and discussions during the meeting.

Chair Andaya mentioned before taking live testimonies, he wanted to share a brief background on the issue before the Board.

The BWS, with G70, did an Environmental Impact Statement, often referred to as an EIS, on the disposition of Haiku Stairs. The BWS's core mission is to supply safe, dependable, and affordable water to all of us here on Oahu. Our vision is Ka Wai Ola, which means water for life. Managing the Haiku Stairs falls outside of this core mission and vision. The final EIS was accepted by the Department of Planning and Permitting on January 24, 2020, and a letter of acceptance posted with the Office of Environmental Quality Control of the State Department of Health on February 8, 2020. The 60-day challenge period has passed with no challenges.

Chair Andaya introduced Barry Usagawa, Program Administrator, Water Resources, Project Manager overseeing the Haiku Stairs EIS and Jeffrey Overton of G70, who were joining the meeting remotely to give their presentations.

Mr. Usagawa provided a short opening statement on Haiku Stairs and then introduced Mr. Overton to give an overview presentation of the EIS.

Chair Andaya thanked Mr. Usagawa and Mr. Overton for their presentations. Chair Andaya asked the Board members if there were any questions or comments.

Chair Andaya inquired if there were statistics regarding the number of trespassers accessing the stairs during the COVID-19 pandemic.

Manager Ernest Lau responded there were statistics of vehicles and people who were turned away by Special duty HPD Officers. In 2017, the number of vehicles that were turned away was 758; in 2018 it was 1,282; in 2019 it was 1,368; and from January to March 2020, even with the stay at home order in place, 202 vehicles were turned away. From 2017 to 2020, a total of 4,824 residents attempted to hike Haiku Stairs. In 2020, 344 residents were turned away. As for the visitors and military, in 2017 to 2020, a total of 6,603 people attempted to hike Haiku Stairs. In 2020, 497 visitors/military personnel were turned away.

Chair Andaya wanted to clarify that despite the pandemic and Stay-At-Home orders, people continue to trespass and hike the stairs.

Manager Lau responded that despite the pandemic and the stairs officially closed, and people continue to illegally trespass. The visitors and military are the two large groups that have been turned away. We have contacted the military and the Armed Forces Disciplinary Control Board issued a memorandum on May 31, 2019, to officially make the stairs off-limits to military personnel.

Chair Andaya stated that according to his calculations, 841 people have been trying to access the stairs in 2020.

Chair Andaya announced that public testimony will begin. Prior to this evening public hearing, the BWS has accepted testimonies via email and regular mail. These testimonies have been shared with all the Board members and available to the public online at BoardofWaterSupply.com for viewing.

Chair Andaya thanked the public who have already submitted testimony. Before taking live testimony, Chair Andaya shared the number of written testimonies received thus far. There were 3,516 in favor of keeping Ha'iku stairs, 142 in favor of having the stairs removed. Chair Andaya indicated that testimony would be taken via telephone and live video at BWS, 630 South Berentania Street. All live video testimonies will be in accordance with the Mayor's Emergency Order 2020-07 that requires the public to wear a cloth face covering when interacting with essential workers. No live testimony will be taken in the Board room. A court reporter is present to ensure that the testimonies, questions, and comments are accurately recorded. This will be public record and posted on the BWS website www.BoardofWaterSupply.com, along with the video recording. The full Public Hearing and Board meeting can be viewed on 'Olelo at a later date.

There was a total of 37 testimonies via telephone and live video at the Public Hearing and Regular meeting. The list below are the names of each person that shared their testimony with Chair and Board members and their position on Haiku Stairs.

Oppose Takedown

Karlson	Wong
Makoa	Almeida
Patrick	Shinsato
Albert	Furuto
Luke	Wassermann
Michael	Baxter
Roen	Wainscoat
Kimmie	Sorden
John	Gottes
Eddie	Vazquez
Christopher	Tipton
Matthew	Kievlan
Marianne	Whiting
Erik	Bofman
Nikoden	Eikor
Ted	Peck
Marta	Korycka
Joshua	Hagan
Paul	Shiraishi
George	Tsuchida
Bill	Hicks
Danielle	Smith
Chris	Keahi
David	Bell
April	Rendon
Scott	Palma
Kama	Pua

Support Takedown

Carleen	Yokotake
Roger	Hawley
Allen	Walterman
Stosh	Ostrow
Richard	DeCosta
James	Santos
Rae	Leong
Brent	Teraoka
Richard	Botelho

Chair Andaya confirmed that there were no testifiers remaining on the phone or live video. Chair Andaya especially wanted to thank everyone that took the time to share their testimony with the Board and being an essential part of the process.

Chair Andaya closed the Public Hearing on Ha'iku stairs at 7:46 pm.

At 7:53 pm, the Regular Meeting was called to order.

**APPROVAL OF
MINUTES**

Approval of the Minutes of the Regular Meeting held on March 23, 2020.

**MOTION
TO APPROVE**

Ray Soon and Max Sword motioned and seconded, respectively, to approve the Minutes of the Regular Meeting of March 23, 2020. The motion was unanimously carried.

THE MINUTES OF THE REGULAR MEETING HELD ON MARCH 23, 2020 WERE APPROVED AT THE APRIL 27, 2020 BOARD MEETING			
	AYE	NO	COMMENT
BRYAN P. ANDAYA	X		
KAPUA SPROAT	X		
KAY C. MATSUI	X		
RAY C. SOON	X		
MAX J. SWORD	X		
ROSS S. SASAMURA	X		
JADE T. BUTAY	X		

Photo: David Brotchie

HA'IKŪ STAIRS FEIS

APRIL 2020



Board of Water Supply

BWS OBJECTIVE TO ELIMINATE LIABILITY

*It is not in BWS' core mission to manage a recreational facility,
yet it carries liability for Ha'ikū Stairs.*

BWS can eliminate its liability for
Ha'ikū Stairs by:

- 1) Completely removing Ha'ikū Stairs
- 2) Conveying the property and Ha'ikū Stairs structure to another public agency or private interest



PROPOSED ACTION & ALTERNATIVES

PROPOSED ACTION IS REMOVE HA'IKŪ STAIRS

- The EIS Chapter 3, Project Description describes removal of Ha'ikū Stairs.
- Extraction of all modules (front and back stairs). Platforms and structures to remain in place.
- EIS Chapter 4, Environmental Impacts evaluates the action of removal.



ALTERNATIVE OPTION TO KEEP STAIRS

- EIS provides equal consideration of an Alternative that retains the stairs.
- The Conveyance Alternative is thoroughly described and evaluated in EIS Chapter 6, Alternatives.

EIS ALTERNATIVES CONSIDERED

No-Action

- BWS maintains ownership.
- No additional repairs, condition would degrade.
- Ongoing liability exposure. Costs detract from BWS core mission.

Partial Removal

- Remove approx. 1,000 feet of stairs up to first landing platform.
- Cost-effective solution to reduce liability to BWS from Ha'ikū.
- Ongoing liability - Hikers could still trespass in from Moanalua Valley.

Conveyance

- Convey Ha'ikū Stairs and underlying land to public/private entity.
- Requires legal access route and managed access plan.
- Allows BWS to divest liability and focus on their core mission.

ALTERNATIVES CONSIDERED BUT DISMISSED

Third Party Operator

- BWS would own Ha'ikū Stairs and underlying parcel.
- A qualified third-party entity would operate and manage the stairs.

DISMISSED

BWS would own land, have ongoing liability, and divert resources from core mission.

Subdivision

- BWS would subdivide the stairs corridor from larger TMK and transfer to a qualified public entity, or sell to a private buyer.
- A qualified third-party entity would operate and manage Ha'ikū Stairs.

DISMISSED

Added cost & delay. Whole parcel transfer more efficient. No BWS plans for rest of land

HISTORIC PRESERVATION

HRS 6-E



Significant
Historic Property



Effect with
Mitigation



Preservation or
Removal/
Documentation

ECONOMIC AND FISCAL IMPACTS

Projected impacts to City and State over a 21-year Analysis Period

NO-ACTION

- No construction costs
- Security costs continue

PROPOSED ACTION

- Cost of full stair removal

PARTIAL REMOVAL

- Cost of partial stair removal

CONVEYANCE

- Expenditure by agency is \$800,000 to improve access route. Cost to be reimbursed by operator.
- Operator pays for stair restoration.
- Hiking operation revenues offset City costs.
- Tax revenues to State.

No-
Action

- BWS cost \$4 million

Proposed
Action

- BWS cost \$942,000

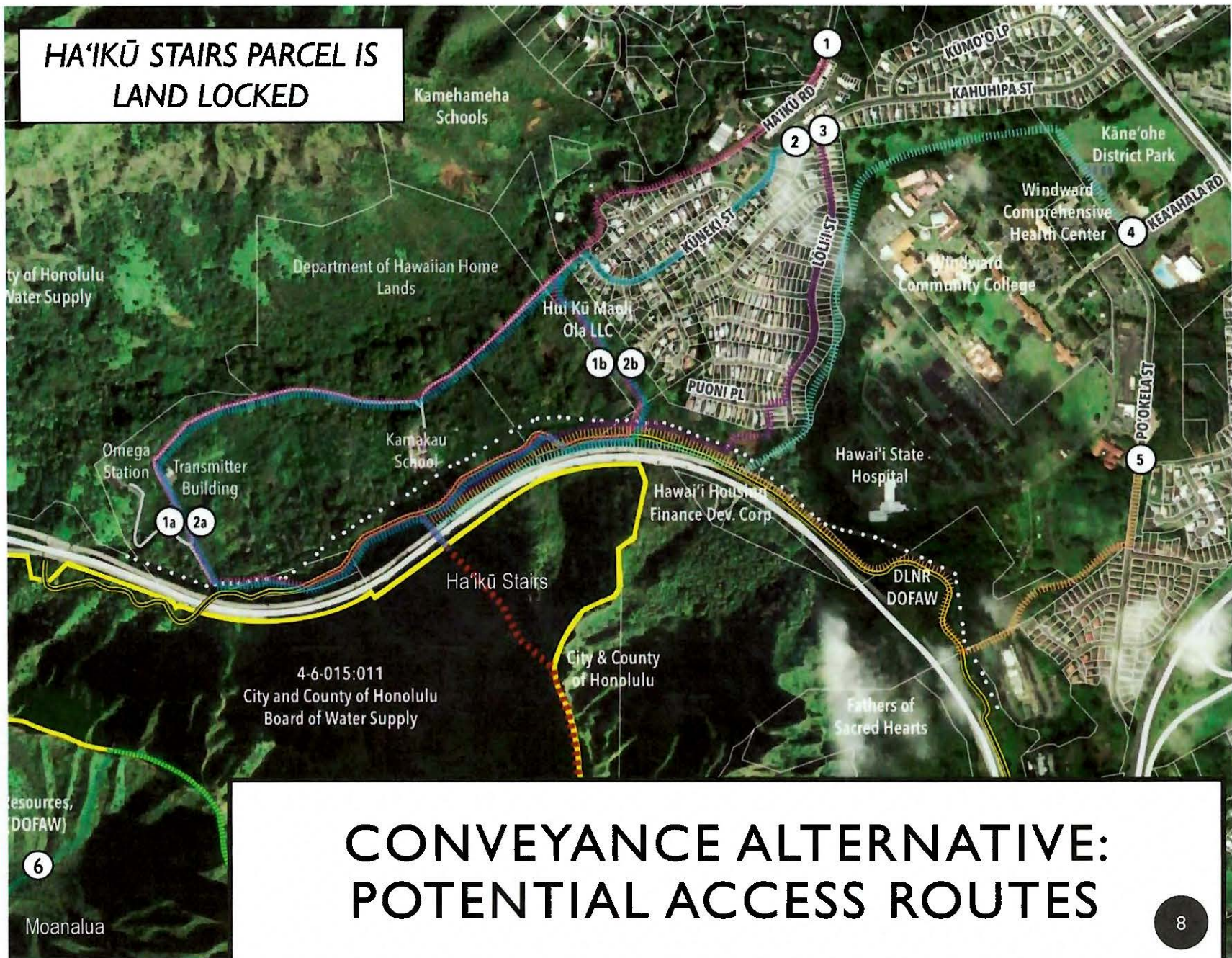
Partial
Removal

- BWS cost \$190,000

Convey-
ance

- Income \$1.2 million

HA'IKŪ STAIRS PARCEL IS LAND LOCKED



CONVEYANCE ALTERNATIVE:
POTENTIAL ACCESS ROUTES

PREFERRED
POTENTIAL
ACCESS
ROUTE:
PO'OKELA
STREET



SELECTION RATIONALE



Landowner discussions



Impacts to
community

- Traffic and parking
- Proximity to residences



Availability of public facilities

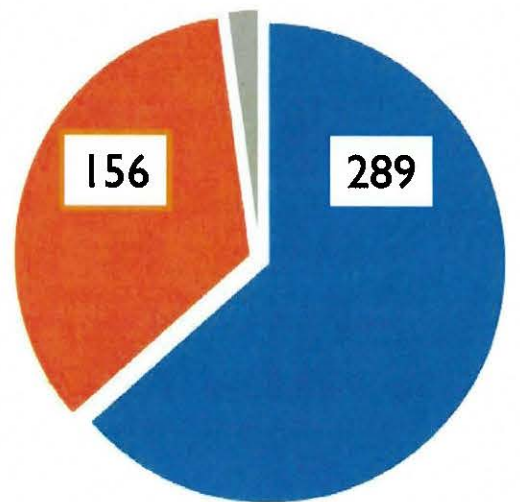


Safe, feasible path to stairs

COMMENTS SUMMARY

Total Comments	500	
Keep:	289	(59%)
Remove:	156	(32%)
Undecided:	8	(2%)
Blank*:	40	(8%)

**The 40 blanks are attributed to persons who submitted multiple comments. Their vote for keep or remove only counted once.*



■ Keep ■ Remove ■ Undecided

TURNED AWAY BY SPECIAL DUTY HPD OFFICERS

Year	Vehicles	Uber / Taxi	Residents	Visitor / Military ²
2017 ¹ 8/11/17 to 12/31/17	758	80	867	1,506
2018	1,282	116	1,573	2,399
2019	1,368	97	2,040	2,201
2020 ³ 01/01/20 to 03/31/20	202	29	344	497
Total to Date	3,610	322	4,824	6,603

¹ Period of 8/11/2017 to 03/21/2020

² Armed Forces Disciplinary Control Board Memorandum on Haiku Stairs (05/31/2018)

³ City and County of Honolulu Stay at Home / Work from Home Emergency Order (03/2020)

THANK YOU



Board of Water Supply

1 BOARD OF WATER SUPPLY
2 CITY AND COUNTY OF HONOLULU
3 630 SOUTH BERETANIA STREET
4 HONOLULU, HAWAI'I 96843
5
6
7

8 PUBLIC HEARING

9 RE:

10 HA'IKU STAIRS
11
12

13 Monday, April 27, 2020

14 commencing at 5:00 p.m.
15
16
17
18
19
20
21

22 Reported by: LAURA SAVO, CSR No. 347
23
24
25

A P P E A R A N C E S

BOARD MEMBERS PRESENT IN THE ROOM:

Bryan Andaya, Board Chair

Ray Soon, Board Member

Max Sword, Board Member

BOARD MEMBERS VIA VIDEOCONFERENCE OR TELEPHONE:

Kapua Sproat, Board Vice-Chair

Jade Butay, Board Member, Ex Officio

Kay Matsui, Board Member

Ross Sasamura, Board Member, Ex Officio

STAFF PRESENT IN THE ROOM:

Ernest Lau, Manager and Chief Engineer

Steven Norstrom, Information Specialist

Dymian Racoma, Information Specialist

Nicole Rodwell, Secretary

Deanna "Dee Dee" Thyssen, Board Secretary

STAFF PRESENT VIA VIDEOCONFERENCE OR TELEPHONE:

Ellen Kitamura, Deputy Manager and Chief Engineer

Barry Usagawa, Program Administrator, Water Resources
Division

STAFF PRESENT IN THE LOBBY:

Keoni Mattos, Information Specialist

A P P E A R A N C E S (Cont'd)

LEGAL COUNSEL VIA TELEPHONE:

Jeff Lau, Deputy Corporation Counsel

Moana Yost, Deputy Corporation Counsel

FOR G70 VIA VIDEOCONFERENCE:

Jeffrey Overton, Principal Planner

Rachel Shaak, Senior Planner

Cody Winchester, Planner

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1 HONOLULU, HAWAI'I

2 MONDAY, APRIL 27, 2020

3 5:00 P.M.

4 ---oOo---

5 CHAIR ANDAYA: Aloha, everyone. Welcome,
6 fellow board members and Manager Lau. This is the
7 April 27, 2020, meeting of the Honolulu Board of
8 Water Supply.

9 For viewers and for the record, I'd like
10 to introduce our board members who are present here
11 in our boardroom and also joining us via
12 videoconference and telephone. My name is Bryan
13 Andaya, and I'm honored to serve as board chair. I'd
14 like now to introduce my fellow board members and to
15 take roll call of those present for the record.
16 Please respond verbally when I call your name.

17 Vice-Chair Kapua Sproat.

18 VICE-CHAIR SPROAT: Here.

19 CHAIR ANDAYA: Board Member Jade Butay.

20 MEMBER BUTAY: Present.

21 CHAIR ANDAYA: Board Member Kay Matsui.

22 MEMBER MATSUI: Kay is here. Thank you.

23 CHAIR ANDAYA: Thank you.

24 Board Member Ross Sasamura.

25 MEMBER SASAMURA: Here.

1 CHAIR ANDAYA: Board Member Ray Soon.

2 MEMBER SOON: Here.

3 CHAIR ANDAYA: And Board Member
4 Max Sword.

5 MEMBER SWORD: Here.

6 CHAIR ANDAYA: I'd like to note that Vice
7 Chair Sproat and Member Butay are participating
8 remotely via videoconference. Board Member Matsui
9 and also Board Member Sasamura are participating via
10 telephone.

11 We also have present here tonight manager
12 and chief engineer Ernest Lau, court reporter Laura
13 Savo, board secretary Dee Dee Thyssen, communications
14 staff member Steven Norstrom, IT staff member Nicole
15 Rodwell to manage and log phone calls and timekeeping
16 for phone testimony. Also on the phone tonight, we
17 have our attorneys from corporation counsel, Moana
18 Yost and Jeff Lau. Finally, we have a few presenters
19 also participating by videoconference who I'll be
20 introducing later.

21 I would ask those of you participating
22 remotely to please mute your microphone at this time
23 and unmute yourself when you intend to speak.

24 I'd like tonight -- to note tonight that
25 under the circumstances, we've had to make some

1 modifications to the way we conduct our meeting in
2 light of the COVID-19 pandemic and the stay-at-home
3 orders by the governor and the mayor. As you'll
4 notice, we're not able to have members of our public
5 into our boardroom, but we've provided several other
6 options for public testimony which I'll discuss
7 later. We've also minimized the number of people in
8 attendance here, giving board members the option to
9 participate remotely using a synchronous method and
10 also having only essential staff physically present
11 here tonight. Presenters will also be given
12 virtually. And all of us present have our mask as I
13 hope all of you as well.

14 I want to thank everyone in advance for
15 being so flexible, helping to keep everyone safe,
16 while maximizing the opportunity for members of the
17 public to provide testimony and be heard. We realize
18 that the issue on the table tonight is important to
19 so many of you.

20 The first item on our agenda today will
21 be a public hearing on the Ha'iku Stairs. At this
22 time I would like to officially open the public
23 hearing on Ha'iku Stairs. For the record, it is now
24 5:04 p.m.

25 Please note, again, that we have a court

1 reporter tonight to accurately reflect testimony,
2 questions and answers. Mahalo, Laura Savo, for
3 assisting tonight.

4 For those of you presenting or
5 testifying, please note that the court reporter is
6 unable to note hand gestures, nods or shaking of
7 heads. So please verbalize your presentation or
8 testimony as much as possible.

9 Before we begin taking testimony, I'd
10 like to share a brief background of the issue before
11 us. The Board of Water Supply, with G70, did an
12 environmental impact statement, often referred to as
13 an EIS, on the disposition of the stairs. As most of
14 you know, the board's core mission is to supply safe,
15 dependable and affordable water to all of us here on
16 Oahu. As we often say, "ka wai ola," which means
17 "water for life." And managing the Ha'iku Stairs
18 falls outside of this core mission.

19 The final EIS was accepted by the
20 Department of Planning and Permitting on January
21 24th, 2020, and a letter of acceptance posted with
22 the Office of Environmental Quality Control of the
23 state Department of Health on February 8, 2020. The
24 60-day challenge period has passed with no
25 challenges.

1 This evening we have a brief PowerPoint
2 presentation given by Jeffrey Overton of G70 to go
3 over the highlights of -- of the EIS process and the
4 final EIS. We also have Mr. Barry Usagawa of the
5 Board of Water Supply joining us via videoconference.
6 Mr. Usagawa is our program administrator for water
7 resources and serves as the project manager
8 overseeing the preparation of the comprehensive EIS.

9 Welcome, Mr. Usagawa and Mr. Overton.
10 You may now proceed.

11 MR. USAGAWA: Thank you, Mr. Chair and
12 members. My name is Barry Usagawa, the water
13 resources program administrator for the Board of
14 Water Supply and the project manager for the Ha'iku
15 Stairs EIS.

16 I have a short opening statement before
17 we begin our presentation. Access to Ha'iku Stairs
18 through the Ko'olau ridgeline for recreational
19 purposes has drawn thousands of hikers to explore the
20 scenic vistas of the Ko'olau and Kane'ohe Bay. The
21 sunrise offers a unique experience that's truly
22 worthwhile to explore for those with the strength and
23 the fortitude to conquer the normally inaccessible
24 mountains of Ha'iku. The advent of social media has
25 only increased the draw of hikers both locally and,

1 in fact, globally. And with the unchecked
2 trespassing, the adjacent communities are disrupted,
3 disrespected and even threatened. The dogs bark
4 incessantly at 4:00 a.m. Residents know that the
5 hikers have descended on their community. And when
6 helicopters hover overhead, hikers are likely in need
7 of rescue, exposing our first responders to tenuous
8 jeopardy.

9 Without designated, legal access and with
10 multiple entry points, it is difficult, and some
11 would say impossible, to control. With no viable
12 solution in sight, the convenient option for the
13 impacted community is to tear it down. Most want to
14 use it, but practically no one wants to own it. The
15 liability exposure and security costs are borne by
16 the water ratepayers who are not just paying for our
17 quality water service, but also for a recreational
18 entity. This is not central to the BWS mission. A
19 solution is desperately needed and, therefore, BWS,
20 as landowner, embarked on this EIS disclosure path in
21 the hopes that a comprehensive evaluation would form
22 future decisions on the fate of Ha'iku Stairs.

23 When we started this EIS process back in
24 late 2015 and during the EIS development, we
25 outreached to many stakeholders, including the

1 surrounding large landowners, interested
2 organizations like Kamakau School and Anchor Church
3 and others and the communities of Ha'iku Village,
4 Hokulele and Castle Hills. We briefed the Kane'ohe
5 Neighborhood Board on July 18th, 2019, on the Ha'iku
6 Stairs just after the draft EIS was published. The
7 extensive outreach and large amount of written
8 comments for the EIS preparation notice and the draft
9 EIS provided us with a comprehensive understanding of
10 all the issues surrounding Ha'iku Stairs. As I said,
11 it was published, accepted, and the 60-day legal
12 challenge period is over. All comments were
13 responded to and compiled into seven volumes, and
14 that is on the OEQC website.

15 I'm going to turn it over to Jeff
16 Overton, our EIS consultant from G70, for an overview
17 presentation of the EIS, and we will be available for
18 any questions you may have. Mahalo.

19 Jeff.

20 MR. OVERTON: Hi, good evening. Aloha,
21 Chair, board members. My name is Jeff Overton. I'm
22 a planner with G70, architects, planners, civil
23 engineers, and I want to welcome everyone
24 participating online, wishing you all good health
25 this evening.

1 We've been very fortunate in working with
2 Board of Water Supply closely over the past several
3 years on the environmental impact statement for the
4 Ha'iku Stairs study. And I want to go through a
5 series of slides here that are presented for your
6 behalf.

7 First, Board of Water Supply's objective
8 is to eliminate liability. It is not in Board of
9 Water Supply's core mission to manage a recreational
10 facility; yet, they carry the liability for Ha'iku
11 Stairs as Barry had mentioned. They're not staffed
12 or funded to manage and maintain Ha'iku Stairs, and
13 all the costs come out of ratepayer funds. So BWS
14 can eliminate this organization's liability for
15 Ha'iku Stairs by either, one, completely removing
16 Ha'iku Stairs or, two, conveying the property and
17 Ha'iku Stairs structure to another public or a
18 private interest.

19 Next slide, please.

20 In the EIS, our proposed action was for
21 the removal of Ha'iku Stairs. And the EIS, chapter
22 3, with the project description describes in detail
23 the action to remove Ha'iku Stairs, the extraction of
24 all the modules, the front and backstairs, the
25 platforms. The structures are to remain in place.

1 EIS, chapter 4, the environmental impacts are
2 evaluated closely for this action of removal.

3 Now, the EIS also addressed an
4 alternative option to keep the stairs, and that EIS
5 provides equal consideration of an alternative that
6 retains the stairs, and this conveyance alternative
7 is thoroughly described and evaluated in the EIS,
8 chapter 6, "Alternatives."

9 Next slide, please.

10 The EIS alternatives that were considered
11 include a no-action alternative -- we're required to
12 study that -- in which Board of Water Supply
13 maintained ownership. No additional repairs would go
14 forward. The condition of the stairs would continue
15 to degrade, and there would be ongoing liability
16 exposure. Again, those costs detract from Board of
17 Water Supply's core mission of water supply.

18 Another alternative we considered in the
19 EIS is a partial removal, and this would remove the
20 first 1,000 feet of the stairs up to the first
21 landing platform, which is a cost-effective solution
22 to reduce the liability to Board of Water Supply from
23 Ha'iku Stairs; yet, there would still remain some
24 ongoing liability because hikers could still trespass
25 into the stairs from the Moanalua Valley side.

1 Third, we studied the conveyance
2 alternative, and this would convey Ha'iku Stairs and
3 the underlying land to a public or private entity.
4 It requires a legal access route to be established
5 and a managed access plan. This would allow Board of
6 Water Supply to divest its liability and focus on
7 their core mission.

8 Next slide, please.

9 There were alternatives which we
10 considered in the EIS and dismissed. The first being
11 a third-party operator where Board of Water Supply
12 would own Ha'iku Stairs and the underlying parcel,
13 and a qualified third-party entity would operate and
14 manage the stairs. This was dismissed because Board
15 of Water Supply would own the land, have ongoing
16 liability, and this, again, would divert resources
17 from its core mission.

18 The other alternative we considered and
19 dismissed is subdivision. Board of Water Supply
20 could subdivide the stairs' corridor itself from the
21 larger TMK parcel and transfer this to a qualified
22 public entity or sell it to a private buyer. This
23 qualified third-party entity would operate and manage
24 Ha'iku Stairs. This, the subdivision alternative,
25 was dismissed because it would add cost and delay to

1 complete a subdivision, and the whole parcel transfer
2 is a much more efficient way to transfer this land,
3 and Board of Water Supply has no plans for the
4 remainder of this problem.

5 Next slide, please.

6 One of the requirements in the EIS
7 process is evaluating historic properties, cultural
8 resources, and we conducted a historic property -- an
9 evaluation -- because the stairs are over 50 years
10 old, and so it is considered an historic property.
11 Any action taken affecting the stairs would be
12 affecting historic property. So we compiled an
13 inventory-level survey, an intensive-level survey,
14 and went through the process of review with the State
15 Historic Preservation Division, and they agreed with
16 our determination which is, in effect, with the
17 mitigation commitment. And final determination is
18 going to be made based on the course of action,
19 whether there would be documentation and then removal
20 or preservation of the stairs under a conveyance
21 alternative.

22 Next slide, please.

23 We also studied economic and fiscal
24 impacts in the EIS, and we projected these impacts to
25 the city and state revenues over a 21-year analysis

1 period. Under the no-action alternative, we have
2 continuing security costs, which are roughly a
3 quarter million dollars a year costing roughly \$4
4 million over the lifespan of the analysis under no
5 action. Under the proposed action with the full
6 stair removal, the cost that was estimated
7 professionally here came out as \$942,000 to
8 completely remove the stairs under the proposed
9 action. A partial removal of the stairs, the first
10 thousand feet, would cost Board of Water Supply
11 \$190,000. And under the conveyance alternative,
12 there would be an upfront expenditure of the agency
13 of roughly \$800,000 to improve the access route to
14 the stairs, but this cost would be reimbursed by the
15 operator. The operator would pay for the stairway
16 restoration as well. And then hiking operation
17 revenues would offset the city costs, as well there
18 would be tax revenues to the state. In our study,
19 the income projection over 21 years was roughly \$1.2
20 million.

21 Next slide, please.

22 This is an aerial view of Ha'iku Valley,
23 and you can see the H-3 under the ribbon that runs
24 through the center of Ha'iku Valley. Ha'iku Stairs
25 are the red dash lines that proceed up the hill

1 towards the bottom half, and that's the route of the
2 stairs.

3 Ha'iku Stairs, this parcel, is
4 landlocked, and there is no current legal access to
5 the property. Multiple landowners exist between what
6 is the public right-of-way and roadways and potential
7 routes. So we studied, under a conveyance
8 alternative, several potential access routes. You
9 can see numbers for these in this slide. I won't
10 walk through each of these in detail, but the first
11 is the Ha'iku Road access which is sort of the
12 traditional one historically, and it comes across
13 Kamehameha Schools land, Department of Hawaiian Home
14 Lands, and curls around past the Omega Station and
15 Kamakau School and ends at the foot of the stairs at
16 H-3 maintenance roadway underneath the H-3 freeway.

17 The second route that we studied comes
18 through Kuneki Street and then follows largely that
19 same route that we just described. Two other routes,
20 3 and 4, are involving Loli'i Street and also the
21 route through what was Windward Community College and
22 the Hawaii State Hospital. These routes were
23 dropped. Loli'i Street is one that's too narrow,
24 doesn't afford parking at all. And the Windward
25 Community College route and state hospital also have

1 issues with regard to the access through there.

2 Finally, we studied a route that's
3 labeled No. 5 on the far end which originates on
4 Po'okela Street. This has some access to public
5 facilities and then crosses state lands to reach the
6 H-3 maintenance road to reach the foot of the stairs.
7 There is a number at the very bottom, 6, and that is
8 the routes from Moanalua Valley that comes in through
9 the back side which is actually quite treacherous for
10 access.

11 So we studied all these alternative
12 routes, and we narrowed it down based on some
13 criteria. In the next slide, we'll discuss it.

14 Preferred potential access route under a
15 conveyance alternative is the Po'okela Street route,
16 and the selection rationale here had to do with
17 discussion with landowners held over the course of a
18 couple years, discussions with the community about
19 potential impacts to the community from traffic and
20 parking, proximity to residences, the availability of
21 public facilities such as restrooms, parking and a
22 feasible path to the stairs. And our criteria
23 evaluation came up with this, and if you have seen
24 the EIS, we went through quite a bit of detail to
25 come up with this preferred potential access route

1 under the conveyance alternative.

2 Next slide, please.

3 Here's a pie chart that summarizes the
4 comments that we received on the draft EIS. We
5 received roughly 500 comments on the draft EIS.
6 Prior to that in the notice of preparation of the
7 draft EIS, we received over 750 comments. So it's
8 been a very high participation rate. We thank
9 everyone for their involvement in this process.

10 The -- again, the EIS is not a popularity
11 contest, but we did provide some statistics about
12 people making recommendations whether to keep the
13 stairs or to remove the stairs. In the EIS comments,
14 we received roughly 59 percent of the comments you
15 see in the blue as recommending keeping the stairs up
16 and roughly 32 percent recommending removal of the
17 stairs and another 10 percent that were either
18 undecided or blank. So that gives you just a rough
19 screening of those.

20 So thanks for your attention through this
21 presentation. We're going to be here. Next slide is
22 kind of our close and mahalo. We'll be available for
23 questions from the board at the appropriate time.
24 Thank you very much.

25 CHAIR ANDAYA: Mahalo, Barry and Jeff.

1 MR. LAU: Chair, if I could.

2 CHAIR ANDAYA: Yes.

3 MR. LAU: Because this is a very
4 different process --

5 This is Ernie Lau, the manager.

6 -- can those people that are on -- coming
7 on by telephone please mute your phones while you're
8 not talking, and when you're about to talk, please
9 unmute your phone, and then also use your outside
10 voice to -- so that the people on the public and the
11 board members here can hear you clearly. Does
12 everybody on the telephone understand, please?

13 Okay. Thank you. Please mute your phone
14 when you're not talking and unmute when you're
15 talking, and use your outside voice when you're
16 talking. Thank you.

17 CHAIR ANDAYA: Thank you, Manager Lau.

18 Board members, any questions for Barry or
19 Jeff regarding the presentation?

20 MEMBER SOON: Can I reserve that
21 opportunity until after the public testimony?

22 CHAIR ANDAYA: Yes.

23 MEMBER SOON: I mean, once we have a
24 question before us, I will have some questions for
25 them.

1 CHAIR ANDAYA: Barry and Jeff, is it your
2 intention to remain with us until the end of this
3 hearing?

4 MR. LAU: Chair, they both will be
5 present through -- through the evening.

6 MR. USAGAWA: Yeah, we'll be here.

7 CHAIR ANDAYA: Okay. Good. Any other
8 members, questions?

9 I actually had a question I think might
10 be appropriate at this point. Do we have any
11 statistics regarding the people accessing the stairs
12 during this pandemic? Has this pandemic curbed, you
13 know, the trespassers from accessing the stairs?

14 MR. LAU: Yes, Chair, we do. Yes, we do,
15 Chair.

16 Jeff, can you bring up the PowerPoint
17 presentation to the slides -- second-to-the-last
18 slide before the "thank you" slide.

19 So this is a summary of -- wait. Next
20 slide, please. Just before the "thank you" slide.

21 MR. RACOMA: Oh, just before it?

22 MR. LAU: Further down.

23 MR. RACOMA: Yeah. This is the slide
24 before the "thank you" slide.

25 MR. LAU: Okay. We have the wrong

1 presentation.

2 MEMBER SWORD: There's one -- are you
3 talking about the one that's "turned away by special
4 duty HPD officers"?

5 MR. LAU: Yes. Actually, let me read
6 this out. We don't seem to have this slide in the
7 presentation. We'll be sure you have it, though,
8 later. We have stats on "turned away by special duty
9 HPD officers." And we have data from the year of
10 2017 to 2023 when we started this practice. Number
11 of vehicles turned away in 2017 was 758. In 2018,
12 1,282. 2019, 1,368, and in 2023 --

13 MEMBER SOON: 2020.

14 MR. LAU: I mean, 2020 when the
15 stay-at-home order was issued in March, we still
16 turned away in the period of January to March about
17 202 vehicles.

18 Now, we also have problems with Uber
19 taxis -- Uber drivers and taxis coming up to drop
20 hikers off to go up the stairs. During that period
21 of 2017 to 2020, 322, and in 2020, we reported 29.

22 Number of residents going up the stairs
23 or attempted and were turned away for the period of
24 2017 to 2020, a total of 4,824 people. 2020 we still
25 had 344 people still trying to go up the stairs.

1 Visitors slash military for the period
2 2017 to period 2020 -- 2020, we had 6,603 people
3 attempting to go up the stairs that were turned away.
4 In 2020, we still had 497 people still trying to go
5 up the stairs.

6 So, Chair, we've also received complaints
7 from some of the residents in the area that have
8 actually seen hikers, in spite of the order from the
9 governor and the mayor, still attempting to go up the
10 stairs.

11 CHAIR ANDAYA: I see. So what I'm
12 hearing is that despite various stay-at-home orders
13 and despite the pandemic, we still have people
14 accessing the stairs.

15 MR. LAU: Yeah. Illegally because the
16 stairs are officially closed.

17 CHAIR ANDAYA: I see.

18 Okay. Any further questions at this time
19 for Barry or Jeff?

20 MR. LAU: Okay. This is actually the
21 stat. On the screen, we're showing now the actual
22 slide with the stats that I just read off quickly.
23 What's interesting to note, Chair, because when you
24 see that "visitor" slash "military" is a pretty large
25 category here of people turned away, we approached

1 the military and got an Armed Forces Disciplinary
2 Control Board memorandum issued on May 31st of 2018,
3 which officially made the stairs off limits for all
4 military personnel. We still continue to see
5 military personnel attempt to go up the stairs.

6 CHAIR ANDAYA: So if I'm reading the
7 chart correctly, looking at the residents and then
8 looking at the visitor slash military, those are two
9 distinct groups?

10 MR. LAU: Yeah. The officer tries to
11 assess that they are either a local person, a
12 resident or visitor or military. I believe if
13 they're able to, they ask for IDs.

14 CHAIR ANDAYA: I see. And so according
15 to my math, which is not great, I've got 841 people
16 accessing the stairs during that time period.

17 MR. LAU: Yeah.

18 MEMBER SWORD: Or trying to.

19 CHAIR ANDAYA: Trying to.

20 MR. LAU: This is only people turned away
21 by the special duty officer who's positioned in the
22 neighborhoods -- in the residential neighborhood.
23 There are still people attempting to hike on the
24 Moanalua side or trying to go off on the windward
25 side of the stairs by trespassing through various

1 routes.

2 CHAIR ANDAYA: Thank you.

3 MR. LAU: You're welcome.

4 CHAIR ANDAYA: Any further questions at
5 this time for Jeff or Barry? If not, Jeff and Barry,
6 please stand by in case we have some questions before
7 the end of the meeting.

8 So at this time, we are going to start
9 public testimony, and for the record, I want to take
10 another roll call again of the board members. So
11 please respond verbally when I call your name.

12 Vice-Chair Kapua Sproat.

13 VICE-CHAIR SPROAT: (No audible
14 response.)

15 CHAIR ANDAYA: Board Member Jade Butay.

16 MEMBER BUTAY: Present.

17 CHAIR ANDAYA: Board Member Kay Matsui.

18 MEMBER MATSUI: Here.

19 CHAIR ANDAYA: Board Member Ross
20 Sasamura.

21 MEMBER SASAMURA: Here.

22 CHAIR ANDAYA: Board Member Ray Soon.

23 MEMBER SOON: Here.

24 CHAIR ANDAYA: And Board Member Max
25 Sword.

1 MEMBER SWORD: Yes.

2 CHAIR ANDAYA: All right. Tonight our
3 board will take public testimony from all interested
4 parties, and we hope to make a decision regarding the
5 disposition of the Ha'iku Stairs during the regular
6 meeting of the Board of Water Supply that will follow
7 this public hearing.

8 For a few weeks now, we have been
9 accepting advance testimony via email and mail, and
10 it has been shared with all of the board members.
11 Copies of written testimony received in advance of
12 today's meeting has been posted online and are
13 available at BoardofWaterSupply.com, and this is
14 generally available to the public.

15 Many of you have already submitted your
16 testimony, and I'd like to thank you for
17 participating in the process and sharing your
18 thoughts. Before we begin, I want to give the tally
19 of written testimonies submitted in advance of
20 today's meeting which have already been distributed
21 and reviewed by all of the board members. And we
22 have adjusted for duplicate testimony.

23 So as of the start of this hearing, we
24 have 3,516 testifiers in favor of keeping Ha'iku
25 Stairs. We have 142 testifiers in favor of removing

1 Ha'iku Stairs. If you have not yet testified, we are
2 still accepting testimony. You can testify tonight
3 in three ways: in writing, by telephone or, if you
4 are here at our facility on Beretania Street, by
5 videoconferencing. So tonight during this meeting,
6 if you wish to email in your testimony, please do so
7 at Ha'iku Stairs Testimony, spelled out, at HBWS.org.
8 Again, that's Ha'iku or Ha'iku Stairs Testimony,
9 spelled out, at HBWS.org. Or you can go to our
10 website at BoardofWaterSupply.com/testimony and fill
11 out the online testimony form.

12 We will have BWS staff collecting
13 incoming testimony and provide copies to all of us
14 during this public hearing. We will also be taking
15 testimony by telephone. When prompted, please call
16 (808) 748-6040. Again, that number is
17 (808) 748-6040. You will be placed on hold, and we
18 will open up the line one by one to allow you to
19 testify. We ask for your patience as we will be
20 taking video testimony as well. So there may be a
21 bit of a wait. When your line is open, we ask that
22 you state your full name, spell both your first and
23 last names, then start your testimony. You will have
24 three minutes to state your position. We have a
25 timekeeper here, and they will alert you when you

1 have one minute left to wrap up your comments. When
2 the three minutes are up, we respectfully request
3 that you end your testimony to allow room for the
4 next testifier.

5 Again, that number is (808) 748-6040.

6 Finally, we will also be taking testimony
7 by video right here at 630 South Beretania Street in
8 Honolulu. As a reminder, anyone coming to our
9 offices must wear a face covering or you will not be
10 allowed to enter the building. This is in accordance
11 with the mayor's emergency order 2020-07 that
12 requires public -- the public to wear a cloth face
13 covering when interacting with essential workers.

14 Prior to signing in, you'll be asked to
15 fill out a short questionnaire regarding your
16 possible exposure to COVID-19. Due to the governor's
17 and mayor's directives and emergency orders on social
18 distancing, wearing a mask and staying at home, we
19 will not be allowing testimony inside of this
20 boardroom in front of the members who are present
21 here tonight. If you wish to testify via video,
22 please come to our offices, fill out a questionnaire,
23 and sign in at the front and you will be given a
24 number. We respectfully request that you wait in
25 your car, and one of our BWS staff members will let

1 you know when it is nearly your time to testify. A
2 BWS staff member will assist you so you do not have
3 to touch the video monitor. You will be seated at a
4 video monitor that we have set up in the lobby of our
5 building. You will have three minutes as well to
6 state your position. We will have a timekeeper next
7 to you, and they will alert you when you have one
8 minute left to wrap up your comments. When the three
9 minutes are up, we respectfully request that you end
10 to allow room for the next testifier and leave the
11 building.

12 The public can view a live broadcast of
13 the proceedings tonight on the Board of Water Supply
14 Facebook page. That's at
15 www.facebook.com/BWSHonolulu/live, or you may go to
16 our website at [www.BoardofWaterSupply](http://www.BoardofWaterSupply.com/live), spelled out,
17 [.com/live](http://www.BoardofWaterSupply.com/live).

18 As a reminder, we have a court reporter
19 here in the boardroom tonight to take down all the
20 testimony, questions and comments, and we want to
21 ensure an accurate public record which will be posted
22 on the website at a later date. A video recording
23 will be posted on our website at
24 www.BoardofWaterSupply.com, and it will also be aired
25 on 'Olelo at a later date.

1 Let's begin. Okay. We will now take our
2 first testifier by telephone. Aloha, please say your
3 full name and spell both your first and last names.

4 MR. HAWLEY: This is Roger Hawley,
5 R-O-G-E-R, Hawley, H-A-W-L-E-Y.

6 CHAIR ANDAYA: Thank you, Mr. Hawley.
7 You will have three --

8 MR. HAWLEY: So I --

9 CHAIR ANDAYA: -- three minutes to state
10 your position.

11 MR. HAWLEY: Three minutes. Okay. Thank
12 you.

13 I was a nine-year resident of the island
14 of Oahu between 1972 and 1981. I set numerous hiking
15 records around the island, different places, on the
16 highest ridges and so forth. And I just want to say
17 that I believe that the Ha'iku Stairs should be
18 memorialized by a United States national monument,
19 and it should be -- put up limits to everyone
20 permanently. I think the lower quarter acre should
21 be completely eliminated and removed, and different
22 blackberry brambles are planted around the lower
23 quarter acre -- quarter mile of the staircase. And I
24 think in position to the taxpayers of Oahu to have to
25 put up \$25,000 a year for security purposes. So I

1 think that the whole entire staircase should be shut
2 down permanently and memorialized in a national
3 memorial.

4 Also, people should realize that there is
5 a video you can access via YouTube by Magnum P.I.,
6 the first season, where the second-to-last show shows
7 an incredible 10-minute feature of the staircase.
8 It's unbelievable with a helicopter and everything.
9 And if people want to see the views, they should also
10 check out the magnificent Moanalua Valley trail that
11 goes right through the same place where the staircase
12 ends up at the very top of the Ko'olau mountain
13 range. So there's no real reason to have the
14 staircase any longer. It's just a big nuisance to
15 the --

16 CHAIR ANDAYA: Mr. Hawley --

17 MR. HAWLEY: -- property owners down at
18 the --

19 CHAIR ANDAYA: Mr. Hawley, you've got one
20 minute.

21 MR. HAWLEY: Oh, okay. So, also, I'm the
22 cofounder of the Moanalua Valley semi-public parks.
23 People can contact the Moanalua Gardens Foundation to
24 get permission to go up to the gigantic power line
25 towers that are right adjacent to where the -- the --

1 the staircase that is ending at the top. So I think
2 people have -- you know, if they see the view either
3 on the YouTube with Magnum P.I.'s first season or by
4 going up through Moanalua Valley, I think that should
5 be sufficient. I think that then all the neighbors
6 down below should start planting blackberry brambles
7 at the very base of that staircase right now because
8 it's just an imposition to the taxpayers of Oahu.

9 So, anyway, thank you for your time. I
10 hope this gets across to all the members of the
11 board, and that I enjoyed my years on Oahu hiking
12 everywhere. You know, that's my story, and I think
13 the entire staircase should be completely shut down.
14 Thank you very much.

15 CHAIR ANDAYA: Thank you, Mr. Hawley.

16 MR. HAWLEY: And aloha.

17 CHAIR ANDAYA: Aloha.

18 MR. HAWLEY: I'm calling long distance
19 from Maui.

20 CHAIR ANDAYA: Aloha.

21 MR. HAWLEY: Aloha.

22 CHAIR ANDAYA: All right. We will go to
23 the next --

24 MR. LAU: Video.

25 CHAIR ANDAYA: We're going to mix it up a

1 little bit. We're going to go to our first
2 videoconference testifier.

3 MR. WALTERMAN: Yeah, my name is Allen
4 Waltermann, A-L-L-E-N, W-A-L-T-E-R-M-A-N.

5 Can you hear me?

6 MEMBER SWORD: Yes.

7 CHAIR ANDAYA: Could you pronounce your
8 last name, please?

9 MR. WALTERMAN: Waltermann,
10 W-A-L-T-E-R-M-A-N.

11 CHAIR ANDAYA: Thank you, Mr. Waltermann.

12 MR. WALTERMAN: I am in favor for removal
13 of the stairs. The gentleman in the red shirt, you
14 were asking about people accessing the stairs during
15 the pandemic. I live in the last house on Kuneki
16 Way. I have photographs of people yesterday coming
17 down from the stairs. I have photographs of people
18 coming down when the water is rushing down the
19 mountain in my backyard. I have people screaming out
20 for help because they didn't know it was going to be
21 raining hard that day.

22 For you to try to manage managed
23 access -- for anybody to try to do managed access,
24 you're going to have that group of people who feel
25 entitled to go up on the days it's closed, go up when

1 there's a pandemic. They're going to find a way to
2 go up. The gentleman who was speared in the neck by
3 nails was entitled to go up at 2:00 o'clock in the
4 morning which he knew it was wrong.

5 You said you have 3,000 emails of people
6 who are for keeping the stairs. How many of them
7 live in the area? How many of them live on Oahu?
8 Our neighborhood is inundated with garbage, noise,
9 trespassers. I implore you to please follow through
10 with your plan and remove.

11 CHAIR ANDAYA: Thank you, Mr. --

12 MR. WALTERMAN: Do you have any questions
13 for me?

14 CHAIR ANDAYA: No --

15 MR. WALTERMAN: I'd love for you to come
16 sit on my lanai one day and come watch the numbers of
17 people who are accessing illegally to go up to the
18 stairs. And you ask them if it's -- if they know
19 it's illegal, they'll tell you, "Yeah, it's a
20 once-in-a-lifetime opportunity. I have to do this.
21 It's my last day of vacation," or they won't even
22 acknowledge you at all. They'll just keep walking.
23 They'll flip you off. I've seen them be rude to the
24 police officers. I've called the police numerous
25 times. There's only so much we can do. The

1 neighborhood is at its breaking point.

2 I'm down to one minute. Do you have any
3 questions for me?

4 CHAIR ANDAYA: I don't think we have any
5 questions except we want to thank you, Mr. Waltermann,
6 for coming down tonight and for your time.

7 MR. WALTERMAN: Please follow through
8 with your plan and remove it. I implore you, please.
9 Thank you.

10 CHAIR ANDAYA: Thank you. Aloha.

11 All right. We will switch back now to
12 the next phone testifier. Aloha. Could you please
13 state and spell your -- both your first and last
14 name.

15 MR. TIPTON: Sure. It's Christopher
16 C-H-R-I-S-T-O-P-H-E-R, Tipton, T-I-P-T-O-N.

17 CHAIR ANDAYA: Good evening, Mr. Tipton.
18 Please begin.

19 MR. TIPTON: Thank you. I would like to
20 voice my support in favor of keeping the stairs
21 following proposed actions of moving the ownership to
22 the City and County of Honolulu given that they have
23 the mayor's office request that that be the course of
24 action that the Board of Water Supply take.

25 I am a resident of Makiki. I enjoy

1 hiking the Tantalus area near me as well as the other
2 portions of the island when we're not under
3 quarantine.

4 The point I'd like to make about the
5 stairs are that unlike most ridge hikes, the
6 stairs -- I'm not taking it personally -- would
7 provide a safe and less strenuous means of getting up
8 to the top of the mountain. This -- excuse me. So
9 having those stairs opens up accessibility to those
10 of us who are not the most strenuous of individuals
11 to still experience a ridge hike and to enjoy all of
12 the vistas and wonderful exercise from them.

13 And second point I would like to mention
14 is that the Kane'ohe Neighborhood Board has multiple
15 times taken up this issue at their meetings, and at
16 least on one occasion in 2017 passed a resolution in
17 favor of saving the stairs. That is all.

18 CHAIR ANDAYA: Thank you very much,
19 Mr. Tipton, for your time and joining us this
20 evening.

21 MR. TIPTON: All right. Stay safe,
22 everyone.

23 CHAIR ANDAYA: All right. Aloha.

24 All right. We're going to now take the
25 next person in line in our lobby downstairs to do a

1 video testimony.

2 MR. OSTROW: Aloha. My name is Stosh
3 Ostrow, S-T-O-S-H, O-S-T-R-O-W. I'm a resident of
4 Ha'iku Village in Kane'ohe and one of the access
5 points to the Ha'iku Stairs. My property is split in
6 half by a culvert. So we're on both sides of the
7 culvert which ends in our backyard. We wind up with
8 trespassers in our backyard on a frequent basis. In
9 the past five days during this pandemic and lockdown,
10 there have been five different groups of people, only
11 one of which was apprehended by the police. We do
12 appreciate the extra police coverage, but I think
13 they have better things to do than to try and stop
14 trespassers from going on an illegal hike.

15 There are lots of places to go hiking on
16 this beautiful island. They don't need to come
17 through my backyard to do it and deny me of the
18 perfect enjoyment of my beautiful home in Kane'ohe.
19 That's basically all I have to say. Please tear down
20 these stairs.

21 CHAIR ANDAYA: Thank you, Mr. Ostrow, for
22 joining us tonight and providing testimony.

23 MR. OSTROW: Thank you.

24 CHAIR ANDAYA: All right. Do we have
25 another phone testifier?

1 Aloha. Please state your name and spell
2 your first and last name.

3 MR. KIEVLAN: Yes. My name is Matthew
4 Kievlan, M-A-T-T-H-E-W, K-I-E-V-L-A-N.

5 CHAIR ANDAYA: Mr. Cleve- -- Kievlan,
6 there's a lot of background noise. I'm not sure if
7 you're watching this live streaming, but if you
8 could --

9 MR. KIEVLAN: How's that? Is that
10 better?

11 CHAIR ANDAYA: Yes. That's much better.
12 Thank you.

13 MR. KIEVLAN: Awesome.

14 CHAIR ANDAYA: Please proceed with your
15 testimony. You've got three minutes starting now.

16 MR. KIEVLAN: Awesome. So I have seen
17 that the Stairway to Heaven has changed so many lives
18 over the years. This resource is known
19 internationally like the Eiffel Tower, Venice Canal,
20 Machu Picchu. I 100 percent sympathize with the
21 residents in the neighborhood who are tormented by
22 this hike. However, our responsibility to the
23 international community is in no way abdicated by our
24 in- -- inaction in managing this completely. This
25 first step establishing 100 percent accountability

1 with adequate security, which can be done, and then
2 allowing the social media platforms that shares this
3 to the world to also share to the world that you
4 can't get to the stairs anymore, and no visitor wants
5 to waste their precious time in Hawaii being turned
6 around. The same platform that shared it to the
7 world will share that you can't get there without
8 going the proper route. And a security guard placed
9 on the stairs would stop all traffic absolutely.

10 The board did agree when the board took
11 this land from the Coast Guard to take care of the
12 stairs. To let go of the stairs, especially hastily,
13 would be -- it would be a terrible, terrible loss to
14 the international community. As if the canals of
15 Venice were filled in because we didn't want
16 trespassers, as if the Eiffel Tower were cut down
17 because we didn't want trespassers, as if Machu
18 Picchu had the stones turned down because we just
19 couldn't figure out how to get people there legally.
20 It can be done. The question --

21 CHAIR ANDAYA: Mr. Kievlan, you've got
22 one minute.

23 MR. KIEVLAN: -- is what --
24 How many seconds?

25 CHAIR ANDAYA: One minute.

1 MR. KIEVLAN: One minute. Thank you.

2 The question is will we do what it takes?
3 What it takes. That's all we have to do, what it
4 takes. And for sure we wouldn't want to do something
5 that would be looked backwards on with grief around
6 the world and even locally because this can be a
7 tremendous source of financial support for local
8 cultural initiatives. There's so much culture in
9 that valley, and that could be brought out. The
10 stairs could bring several million dollars a year in
11 revenue. It's absolutely -- it's been studied
12 extensively by third parties. This can be a massive
13 revenue generator for the local neighborhood.

14 So thank you for your time. I, of
15 course, support the stairs, and I hope that we will
16 take time in considering this and do what it takes.

17 CHAIR ANDAYA: Thank you, Mr. Kievlan,
18 for your time tonight testifying. Aloha.

19 MR. KIEVLAN: Thank you.

20 CHAIR ANDAYA: All right. We will --

21 MS. WHITING: Aloha.

22 CHAIR ANDAYA: Good evening.

23 MS. WHITING: Good evening. My name is
24 Marianne, M-A-R-I-A-N-N-E, Whiting, W-H-I-T-I-N-G.

25 Until recently, I lived for 21 years

1 directly below the last -- first Lanikai pillbox.
2 With well over 1,100 hikers per day pre-COVID, and I
3 know because I helped do the count on two separate
4 occasions, I have firsthand experience of what it's
5 like to have a desirable destination in your
6 backyard. Yet, I also know these trails are unique
7 and should be accessible and can be properly managed.
8 The U.S. Coast Guard showed us that. Oahu -- Oahu
9 has done so with other popular places as well,
10 Diamond Head and Hanauma Bay.

11 I put in my 11-point testimony earlier
12 today. Therefore, I'm not going to restate all the
13 reasons why the stairs should remain open. You are
14 well aware of the arguments pro and con for this
15 world-class, one-of-a-kind asset. There is no
16 disagreement regarding its historical, cultural,
17 environmental, scientific, community and
18 visitor-industry value. And you're also aware of the
19 lack of management that has taken place for the
20 staircase. But, rather, what I want you to think
21 about and to hear carefully is this: As I have grown
22 older, I have become increasingly more grateful to
23 those before me who have had the foresight,
24 determination and the wherewithal to preserve unique,
25 special places for me and the generations after me to

1 appreciate and embrace. Take a moment and be honest.
2 I bet you too have thought similarly about a special
3 place.

4 If you remove the stairs, no one will
5 ever again be able to experience them ever. You are
6 determining the fate for all generations and will be
7 denying others the opportunity to experience and
8 study. That is why I plead with you to listen
9 carefully to the masses. Do the right thing for the
10 future. Preserve the stairs. Work to transfer the
11 management over so that it can be leased and managed
12 by one of the 14 concession proposals as referenced
13 in today's Star-Advertiser. Others are interested
14 and willing to steward this gem to its rightful
15 status as a world wonder. Please allow them to save
16 this treasure for the next generation. Thank you for
17 your soulful consideration.

18 CHAIR ANDAYA: Thank you very much,
19 Miss Whiting.

20 MS. WHITING: Thank you.

21 CHAIR ANDAYA: Thank you for your time
22 tonight. Aloha.

23 MS. WHITING: Aloha.

24 CHAIR ANDAYA: All right. Next telephone
25 testifier.

1 Aloha. This is Board of Water Supply.
2 Hello?

3 MR. BOFMAN: Hello. Sorry. I was on
4 mute. I didn't see that. My apologies.

5 CHAIR ANDAYA: Yes. Could you please
6 state your name and spell both your first and last
7 name?

8 MR. BOFMAN: Yes. That's Erik Bofman,
9 E-R-I-K, B-O-F-M-A-N.

10 CHAIR ANDAYA: Thank you, Mr. Bofman.
11 You have three minutes to give your testimony.

12 MR. BOFMAN: Awesome. Thank you.

13 I think it's very important to keep the
14 stairs in place. I think it's just the gravity
15 behind what this means to so many people around the
16 world, and, you know, to those --

17 I first saw a picture of it when I was 10
18 years old and I found out it was illegal, and I was
19 heartbroken, and to this day it's been my dream to
20 hike it, and I've just heard so many things from so
21 many people about how life changing of an experience
22 that was for them. So I think that's super important
23 for future generations.

24 I am currently an economic student in
25 college, and I see a great opportunity here because

1 there's such high demand for the stairs, for people
2 to hike them. That being said, it would obviously
3 take a lot of well-managed regulation to stop
4 trespassers which seems to being the largest issue
5 here. But people forget that we're animals. You
6 know, we take the path of least resistance. The only
7 reason people are trespassing at such a high rate is
8 because they don't have that route to get there in
9 the first place, which is something that could, I
10 think, be very easily fixed, and I know that there's
11 people in the community who would be willing to put
12 every day -- every second of their day into figuring
13 out a way to make this work.

14 I also know that just the tourism
15 industry in Hawaii is so big and, you know, some
16 people may argue that they don't need anything else,
17 you know, to add to the economic value of that. But
18 the community itself, I think, could gain so much
19 from just not only -- not only financially, but, you
20 know, when you go someplace, you don't just see it.
21 You don't just hear things that you would see in a
22 video. You know, you get all five senses. All five
23 of these senses work to create, you know, an
24 experience, and that can change somebody's
25 perspective, you know, on land, for example. People

1 who, you know, might have been somebody who, in their
2 own town, would litter and not really care, go
3 someplace, have the land change them, see how
4 important this land is, not just the land in the
5 Ha'iku Valley then, but that can translate to the
6 rest of the world and wherever they would go in their
7 future. And I just -- I know that this is --

8 CHAIR ANDAYA: Excuse me, Mr. Bofman.

9 MR. BOFMAN: -- a very, very big
10 decision. Yep?

11 CHAIR ANDAYA: Excuse me. You've got one
12 minute.

13 MR. BOFMAN: Thank you.

14 I realize that this is a very big
15 decision; however, the community to do something
16 about it in terms of saving it and putting this
17 proper management in place to regulate the stairs and
18 the valley would, you know, it would just -- it could
19 change lives in ways that people can't even imagine
20 right now. And I think that just tearing it down
21 would be a rash decision; that, you know, if somebody
22 looked back on it in 50 years and frowned upon,
23 that's something we can change right now. So thank
24 you for your time.

25 CHAIR ANDAYA: Thank you very much,

1 Mr. Bofman, for your time tonight testifying before
2 us. You take care.

3 MR. BOFMAN: Thank you. You as well.

4 CHAIR ANDAYA: Aloha.

5 Okay. We're going to move now to video
6 testimony. Aloha.

7 MR. PIKOR: Aloha, my name is Nikodem
8 Pikor, N-I-K-O-D-E-M, P-I-K-O-R. I go by Niko.

9 Thank you for the opportunity to provide
10 the testimony. I want to let you know that the
11 stairs are unique. They are perceived as being
12 unique on a global scale. They are known for -- by
13 all the daredevils that want to get a good shot from
14 the top of the mountain with this mystical Hawaiian
15 Ha'iku Valley in the background, but there's so much
16 more. They provide absolutely unique access to this
17 phenomenal environment and botanical, biological
18 environment that exists on the slopes of the windward
19 Ko'olau mountain.

20 I'm an experienced hiker. I agree. I
21 may be somewhat biased, but admittedly, I -- I
22 provide the opportunity to a lot of my friends,
23 family members to experience the wonders of Ha'iku
24 who are not in the top shape. Stairway To Heaven or
25 Ha'iku Stairs is possibly the safest and the most

1 accessible way to experience that mist -- the cloud
2 forest of the windward side of Ko'olau mountain
3 range. The history behind them is phenomenal. The
4 potential for revenue generation has never been
5 exaggerated. The multimillion dollar figures that
6 have been popping up in the comments and among all --
7 there were 14 private entities that expressed their
8 interest in -- in getting involved. Everybody knows
9 that the potential for generating revenue and profits
10 is tremendous. If they're going to the private hands
11 of entrepreneurs who are going to do it right, okay.
12 But they could also go to the state coffers. They
13 could go to the agency that's going to show the
14 courage, the leadership and realize the potential.

15 I know that creating revenue out of
16 tourist attractions or any kind of attractions is not
17 the main occupation -- it's not the way for BW- --
18 the Board of Water Supply to create its budget. But
19 it has -- but situations like this existed across the
20 United States and other countries where under
21 circumstances, a state agency was bestowed with a --
22 with an opportunity. And if this is not opportunity
23 the board wants to realize, board should not take
24 this away from others. Even if the time is not right
25 right now. Do not destroy the stairs. Limit the

1 access and enforce the management. It's easy. One
2 properly placed guard can easily stop people from
3 coming up the stairs.

4 CHAIR ANDAYA: Thank you, Mr. Pikor.

5 MR. PIKOR: Mismanagement and other
6 enforcement is what has to be fixed in order to limit
7 the access. Thank you very much.

8 CHAIR ANDAYA: Thank you for your time,
9 Mr. Pikor. Aloha.

10 All right. We're going to now move to
11 the next phone testimony -- testifier. Aloha.
12 Hello. Is there anyone on the line?

13 MR. PECK: Hello?

14 CHAIR ANDAYA: Yes. Could you please
15 state your name and spell your first and last names?

16 MR. PECK: Yeah. Ted Peck, first name
17 T-E-D, last name P-E-C-K.

18 CHAIR ANDAYA: Thank you, Mr. Peck. You
19 have three minutes to provide testimony.

20 MR. PECK: Great. Thanks for the
21 opportunity. Situated in Hunan City, Mount Puchong
22 (phonetic) is half a day's drive from Xi'an, another
23 city, which is a two-hour flight from Beijing. It's
24 a very rural place, and it costs \$50 to, you know, be
25 on the flight, the ground transportation and the

1 hotel stays to go climb that mountain. Regardless,
2 thousands a month travel there and pay the money and
3 climb that mountain. It is famous for natural
4 vistas, steepened mounts, narrow paths, precipitous
5 grades and a high mountain range. I myself have not
6 been to this mountain, but as a 30-year resident of
7 Hawaii, I've been up the stairs and it is no
8 comparison. The historic Ha'iku stairs are a
9 world-class venue.

10 Your statistics about violations is a
11 clear indicator really of the value of the venue and
12 the -- and confirmation that a legal and controlled
13 access with a charge and a waiver are required. I am
14 confident that those numbers are a very limited
15 portion of the number of people actually accessing
16 the stairs. As one gentleman said, 1,100 a day, or
17 maybe it was a woman, another testifier. And let's
18 make it clear that a venue with a private --
19 public-private partnership or a nonprofit or even the
20 Parks Division would be self-sustaining with a
21 comparable charge to Mount Puchong of \$50 or more.

22 The historic Ha'iku Stairs, as I said, is
23 world class, and we treat it like it's a nuisance.
24 We do that because it is clearly outside of the
25 mission of the Board of Water Supply. So let's put

1 it in the hands of an appropriate manager of the
2 trust of that historic asset that will control
3 access, maintain the cleanliness of the site, make
4 sure that the visitors respect the neighborhood in
5 terms of trash, which is an issue. Sound is an
6 issue. And signing a waiver, we become a safer and a
7 legally more resilient site for --

8 CHAIR ANDAYA: Excuse me, Mr. Peck.

9 MR. PECK: -- for our island and the
10 city.

11 How much time do I have left?

12 CHAIR ANDAYA: One minute.

13 MR. PECK: One minute. No problem.

14 Once a viable access point and access to
15 that point is established and a control point
16 maintained, traffic through the community will
17 diminish to next to nothing, and reservations will
18 provide a steady level of visitors to further
19 minimize the impact to the community. 400 hikers a
20 day at \$55 a pop will generate \$8 million a year, and
21 400 hikers, as we've heard, is a conservative number.

22 Let's do the right thing for this
23 historic monument and convey it to somebody that will
24 manage it and who's mission is aligned to the mission
25 of the stairs. Thank you for the time.

1 CHAIR ANDAYA: Thank you, Mr. Peck.

2 Aloha.

3 MR. PECK: You guys take care.

4 CHAIR ANDAYA: You too.

5 All right. Next we have video testimony.

6 Aloha.

7 MS. KORYCKA: Aloha. My name is Marta
8 Korycka. I'm a tourist from Poland, and I'm here to
9 support to save the stairs. I would like to support
10 this as a citizen of the world. Ha'iku Stairs is
11 something -- one of the things that brought me here
12 to Hawaii. It's --

13 CHAIR ANDAYA: Excuse me. I'm sorry to
14 interrupt. Can you spell your first and last name?

15 MS. KORYCKA: Yes. My first name is
16 Marta, M-A-R-T-A.

17 CHAIR ANDAYA: Okay.

18 MS. KORYCKA: And the last name is
19 Korycka, K-O-R-Y-C-K-A.

20 CHAIR ANDAYA: Thank you, Ms. Korycka.
21 Sorry to interrupt. Go ahead.

22 MS. KORYCKA: So I believe that a
23 well-maintained, open access to the stairs is -- is
24 something reasonable that you should do. In Poland,
25 we have a salt mine which is -- it's from -- it was

1 established in 13th century, and someone would say
2 that going deep down to see the mine would be
3 dangerous, but Poland put a lot of money every year
4 to -- to keep it open for public, for tourists, and
5 is world's -- one -- one of the wonders of the world
6 that you can see something like that. And Ha'iku
7 Stairs remind me of that salt mine that could be
8 dangerous, which I don't think it is if it's well
9 maintained. And it's -- it's a well opportunity to
10 tell Hawaiian story not only to local people, but
11 especially for tourists and people who come here to
12 Hawaii and share the aloha, share the spirit, share
13 the beautiful environment and views.

14 As I said, I'm here to support to keep
15 the stairs because it's something worth saving.
16 Nothing like that in the world. So thank you.

17 CHAIR ANDAYA: Thank you very much,
18 Ms. Korycka. Thank you.

19 MS. KORYCKA: Thank you.

20 CHAIR ANDAYA: Aloha.

21 All right. We're going to move back to
22 the phones.

23 Aloha. Can you please state your name
24 and spell your first and last name? Hello? I'm
25 sorry. We can't hear you.

1 MR. HAGAN: Hello there.

2 CHAIR ANDAYA: Yes. Could you please
3 state your name and spell your first and last name?

4 MR. HAGAN: Yeah. My name is Joshua
5 Hagan, J-O-S-H-U-A, H-A-G-A-N, and I'm calling on
6 behalf of 4ward View Investments, an investment
7 venture capital firm located here in Calgary over in
8 Canada and --

9 CHAIR ANDAYA: Excuse me, Mr. Hagan, this
10 is a public hearing regarding Ha'iku Stairs. Are you
11 calling about that matter?

12 MR. HAGAN: I'm calling about the Ha'iku
13 Stairs, yes, but I am not a Hawaii resident.

14 CHAIR ANDAYA: I see. Okay. Please
15 proceed with your testimony. You have three minutes.

16 MR. HAGAN: Okay. Cool. Thank you.

17 As I was saying, I'm the chair and CEO of
18 4ward View Investments, and I thank you all for
19 taking my call. We had submitted correspondence
20 earlier today via email. I just wanted to reiterate
21 our interest in the issue of discussions that are
22 pertinent to the commercial operation of Ha'iku
23 Stairs. In addition to a cursory review of the final
24 environmental impact study, we've engaged
25 independently in several preliminary analyses that

1 contain various metrics and are for our own internal
2 use. As a result, we remain resolute in our envisage
3 to further determine the scope of pursuing this
4 endeavor.

5 CHAIR ANDAYA: Mr. Hagan, we've got --

6 MR. HAGAN: Yes.

7 CHAIR ANDAYA: -- a court reporter
8 transcribing what you're saying. So could you maybe
9 speak up --

10 MR. HAGAN: Going too fast?

11 CHAIR ANDAYA: -- and then maybe, yeah,
12 and maybe slow down a little bit.

13 MR. HAGAN: Okay. My apologies. My
14 apologies.

15 MR. LAU: Also, if you could talk a
16 little louder.

17 MR. HAGAN: Yes, for sure.

18 MR. LAU: Thank you.

19 MR. HAGAN: So I just wanted to reiterate
20 our interest in initiating discuss -- discussions
21 pertinent to the commercial operation of the Ha'iku
22 Stairs. In addition to the cursory review of the
23 final environmental impact study, we engaged
24 independently in several -- several analyses of
25 various metrics for our own internal use. As a

1 result of those analyses, we do remain resolute in
2 our envisage to further determine the scope of
3 pursuing this endeavor within a private enterprise.
4 We feel that this will permit the safety of willing
5 adventurers and can be congruent with the bona fide
6 concerns of the affected landowners.

7 Now, to this effect, we do fully support
8 Mayor Caldwell's requisition for the conveyance of
9 property to the City and County of Honolulu and
10 their --

11 CHAIR ANDAYA: Thank you, Mr. Hagan.
12 You've got one minute.

13 MR. HAGAN: -- Department of Parks and
14 Recreation. That was all, and I thank you all for
15 your commitment, time and consideration, and I wish
16 you all the best throughout this unfortunate state of
17 affairs. Mahalo and aloha. Thank you.

18 CHAIR ANDAYA: Thank you, Mr. Hagan, for
19 your time tonight. Take care and aloha.

20 All right. We're going to move back to
21 video testimony.

22 MR. SHIRAISHI: Hi. My name is Paul
23 Shiraishi. That's P-A-U-L, S-H-I-R-A-I-S-H-I.

24 CHAIR ANDAYA: Hello, Mr. Shiraishi.

25 MR. SHIRAISHI: Yeah. I'm a Kaimuki

1 resident, and I just wanted to give my two cents.
2 First off, mahalo to you guys for putting this
3 together during the pandemic. I think that's great.
4 But I'll make it quick.

5 You know, I think if you guys tear down
6 the stairs and increase security measures, I really
7 don't think that's going to stop the trespassers and
8 hikers getting to that area. I think the, quote,
9 "Stairway to Heaven" is just too internationally
10 popular to where I think hikers are still going to
11 attempt the trail even if the stairs aren't there.
12 But because it's so internationally known, I do think
13 that there's an opportunity for revenue for BWS and
14 maybe the rest of the state. I mean, if you are
15 willing to take all of these major risks to attempt
16 this hike, I think those same individuals would be
17 willing to pay substantial fees and permits to access
18 that same hike while it's -- while regulated and for
19 safety, and that money could obviously be put toward
20 maintaining the facility, maintaining the stairs,
21 providing security, and it can also potentially pad
22 BWS's budget. Again, I'm talking about exorbitant
23 fees for these hikers who want to access, again, this
24 famous trail. That's all over social media all over
25 the world.

1 So I think that's a good middle ground
2 between, obviously, the local residents in the area,
3 but, again, all those who want to enjoy those
4 incredible views. That's all I got.

5 CHAIR ANDAYA: Thank you, Mr. Shiraishi,
6 for your time and joining us tonight.

7 MR. SHIRAISHI: Thank you, guys.

8 CHAIR ANDAYA: Let me know if you guys
9 need a break.

10 MEMBER SWORD: Keep going.

11 CHAIR ANDAYA: Okay. Next. Aloha. Can
12 you state your name and spell your first and last
13 name, please. Hello?

14 MR. TSUCHIDA: Hello.

15 CHAIR ANDAYA: Can you state your name
16 and spell both first and last name?

17 MR. TSUCHIDA: Sure. This is George
18 Tsuchida, spelled G-E-O-R-G-E, first name, last name
19 T-S-U-C-H-I-D-A.

20 CHAIR ANDAYA: Good evening,
21 Mr. Tsuchida. You have three minutes to provide
22 testimony.

23 MR. TSUCHIDA: All right. Thank you very
24 much.

25 Aloha. I'm George Tsuchida from Mililani

1 Mauka. I worked for the water supply as a summer
2 student aide with Mr. Wallace, hydraulic engineer, in
3 1963 soon after graduating from Leilehua High School.
4 I read the article in today's The Honolulu
5 Star-Advertiser, "Decision to be made on fate of
6 Stairway to Heaven." And I totally agree with Mayor
7 Kirk Caldwell's April 14 comments where he reiterated
8 his proposal to have the city Department of Parks and
9 Recreation to take over the stairs and then lease
10 them to a third-party vendor who would make repairs
11 and improvements and then charge the public or at
12 least nonkama'aina to visit.

13 "I believe Ha'iku Stairs is an
14 important and unique asset on Oahu, and
15 that the stairs should be preserved as
16 long as they can be renovated for safety,
17 and that public access issues are
18 addressed and resolved," Caldwell said.

19 I firstly believe Ha'iku Stairs is one of
20 Hawaii's treasures that should be continued as
21 evidenced by the people who continue to illegally
22 trespass and use the stairs even with a private
23 security guard at the entrance. I also believe my
24 children, my grandchildren and myself would
25 definitely use the stairs when it reopened to the

1 public again.

2 I only have a short time of my life
3 remaining because I am in my 70s and don't have much
4 time to legally enjoy hiking Ha'iku Stairs at least
5 once before I die. Please, please let our kama'aina
6 at least enjoy one last opportunity to enjoy Ha'iku
7 Stairs once again. Mahalo nui loa.

8 CHAIR ANDAYA: Thank you very much,
9 Mr. Tsuchida, for your time tonight and your service.
10 I think he hung up. All right.

11 MR. LAU: So we can continue with the
12 telephone testimony.

13 MR. NORSTROM: We have 21 calls.

14 CHAIR ANDAYA: 21? Okay.

15 Hello, this is the Board of Water Supply.
16 Can you please state your name and spell your first
17 and last name?

18 MR. HICKS: Yes. Aloha. This is Bill
19 Hicks, B-I-L-L, H-I-C-K-S, of Kailua. Mahalo for the
20 opportunity to speak.

21 CHAIR ANDAYA: Yes, Mr. Hicks. We've got
22 three minutes for you to testify.

23 MR. HICKS: Mahalo. I strongly support
24 the Board of Water Supply transferring the Ha'iku
25 Stairs to the city and county's Department of Parks

1 and Recreation for the eventual preservation and
2 operation of the stairs. Mayor Caldwell's written
3 testimony, which is the first testimony published
4 online, said the city's request for information for
5 managing and operating the Ha'iku Stairs yielded 14
6 submittals and that the city is now ready to issue a
7 request for bids to restore, operate and maintain the
8 stairs. It seems like there is a serious way forward
9 that would eliminate problems that have been caused
10 because the stairs have been closed ever since they
11 were renovated 18 years ago.

12 I saw the opening brief on the
13 environmental impact statement, and one thing the
14 brief didn't mention, but, you know, this is the
15 environmental impact statement commissioned by the
16 board. In it, it compared the eight available
17 alternatives or the available alternatives on eight
18 stated objectives, and that's on pages 667 to 670 of
19 the EIS.

20 The objectives: Eliminate Board of Water
21 Supply liability risk. That's what you're interested
22 in.

23 Support Board of Water Supply core
24 mission. Absolutely. Your interest.

25 Others: Improve public safety and reduce

1 neighborhood disturbance, protect natural resources,
2 promote public recreation, provide long-term economic
3 benefit, and, finally, provide cultural and/or
4 environmental education.

5 Your proposed action to dismantle the
6 steps scored good on four objectives, fair --

7 CHAIR ANDAYA: Mr. Hicks, you've got one
8 minute.

9 MR. HICKS: Okay. Fair on two
10 objectives, poor on two objectives. The alternative
11 to convey the stairs to Parks and Recreation was good
12 on seven objectives, fair on one objective, poor on
13 zero objectives. You paid for this study. The most
14 responsible action, I believe, for the Board of Water
15 Supply would be to pursue the highest scoring action
16 which is to convey the stairs.

17 The Kane'ohe Neighborhood Board
18 unanimously took a position supporting reopening the
19 stairs under our controlled and managed access plan.
20 There is a concept plan. The problems have been the
21 stairs have been closed for 18 years after
22 renovation. Managed access with 24-hour security and
23 the control, start to finish, should eliminate the
24 impact to the neighborhood. Thank you very much.

25 CHAIR ANDAYA: Thank you, Mr. Hicks, for

1 your time tonight and take care and aloha.

2 MR. HICKS: Aloha.

3 CHAIR ANDAYA: Hello, this is Board of
4 Water Supply. Can you please --

5 UNIDENTIFIED SPEAKER: Hi.

6 CHAIR ANDAYA: Yes, hello. Before we
7 begin, could you please turn off the --

8 UNIDENTIFIED SPEAKER: Okay. You're
9 gonna talk.

10 MR. DECOSTA: Hello?

11 CHAIR ANDAYA: Hello, can you turn off
12 the --

13 MR. DECOSTA: Turn this off?

14 CHAIR ANDAYA: Yeah. There's a lot of
15 background noise.

16 MR. DECOSTA: Okay.

17 CHAIR ANDAYA: Yeah, that's much better.
18 Can you please state your name and spell your name --
19 first and last names for the record?

20 MR. DECOSTA: My name is Richard DeCosta,
21 R-I-C-H-A-R-D, capital D-E-C-O-S-T-A. I live in
22 Kane'ohe on Loli'i Street, born and raised in
23 Kane'ohe. I climbed the Stairway to Heaven way
24 before when it was Omega Station for the Coast Guard.

25 CHAIR ANDAYA: Okay. Thank you,

1 Mr. DeCosta. You have three minutes to provide
2 testimony.

3 MR. DECOSTA: You gonna -- how I know
4 when I can start?

5 CHAIR ANDAYA: You can start now, and
6 I'll let you know --

7 MR. DECOSTA: I can start now?

8 CHAIR ANDAYA: Yeah, and I'll let you
9 know when you have one minute left.

10 MR. DECOSTA: Okay. Yeah, I'm concerned
11 about the Omega Station Coast Guard. When it was
12 there, we used to get a permit to go up. We had to
13 sign a waiver. Nobody complained about the Stairway
14 to Heaven. Nobody knew about it. Nobody could climb
15 it. As soon as the Coast Guard left, people started
16 to check it out. They climbed the -- all the way up.
17 It say in English, "Keep Out." In Hawaiian, "Kapu."
18 But all these tourists and whoever comes over here,
19 they cannot read. The stairs is kind of rocky,
20 rocky. They still climb. Even today you tell them
21 no climb, they climb. We don't need the Stairway to
22 Heaven. If it's so valuable, let's just leave
23 whatever got up there and take all the stairs down,
24 have nothing to show.

25 The second thing, the city wants to take

1 it over. The good ole mayor, if it was so great, we
2 ain't got no money. They raised land property tax.
3 They raised everything for fix this. Lose money,
4 rail. So why do we have to try fix that Stairway to
5 Heaven? We take it away. It's our concerns. It's
6 our property. We're from Hawaii. We cannot have
7 tourists coming here voicing opinion about the
8 Stairway to Heaven. They have no say in it. It's
9 us. We live here. We gotta deal with people who
10 cannot read and no listen, no comprehend, no more
11 akamai, no understand. They trespass people's
12 houses. They use their water. They throw their
13 rubbish. You go open up the Stairway to Heaven,
14 you're going to have to make a road for the tourists
15 so they can bring their tourist buses. You know what
16 going to happen to our side over here. Next they're
17 going to be building buildings so that they can get
18 tourists. We don't need -- hey, tourists going to
19 come to Hawaii no matter what. Even if we never have
20 Stairway to Heaven, they still come. Why don't you
21 just give it to Kualoa Ranch, to Mr. Morgan? Put the
22 stairway over there. They like to go to Kualoa
23 Ranch.

24 No matter what you do, you charge, they
25 still come. When they get hurt, does the state --

1 the city has \$2 million to pay for liability?
2 There's always the city or the state getting sued,
3 and they always give in.

4 CHAIR ANDAYA: So, Mr. DeCosta, you have
5 one minute left.

6 MR. DECOSTA: Okay. So just take it
7 down. We don't need the Stairway to Heaven. You
8 take it away, you don't need worry. People not going
9 to climb them because you cannot climb them without
10 the stairs. It's hazardous. The way the stairs is
11 too, you take away the stairs, you don't need the
12 stairs. We're not supposed to cater to people from
13 outside our state that wants the Stairway to Heaven.
14 And, furthermore, you cannot reach heaven from the
15 stairway. Heaven is beyond that. That's all I can
16 say. But thank you for my time and be local. Think.
17 Use common sense. You gotta protect the Honolulu,
18 Hawaii, people. Protect the 'aina. That's all I
19 say. Thank you very much.

20 CHAIR ANDAYA: Okay. Mahalo,
21 Mr. DeCosta. Take care and aloha.

22 This is the Board of Water Supply.

23 UNIDENTIFIED SPEAKER: Hello?

24 CHAIR ANDAYA: Yeah, hello. Before we
25 start, can you turn down your -- the live broadcast?

1 There's a lot of background noise.

2 UNIDENTIFIED SPEAKER: Can you still
3 hear?

4 CHAIR ANDAYA: Yes.

5 UNIDENTIFIED SPEAKER: Hello? Hello?

6 CHAIR ANDAYA: Yeah, we can hear you.
7 Okay. Why don't you state your name and spell your
8 first and last name.

9 UNIDENTIFIED SPEAKER: Okay. Just a
10 minute. This is for James Santos, J-A-M-E-S, last
11 name S-A-N-T-O-S.

12 CHAIR ANDAYA: Okay.

13 MR. SANTOS: Aloha. Thank you for having
14 this. I'd like to speak out against having the
15 stairs. I live in the community right below. The
16 constant harassment and nobody looking to protect the
17 island, just abuse the resource. We have way too
18 much people, and until we can get rules and some kind
19 of teeth into it where somebody will be able to
20 protect us, I think it should be just taken down.

21 I honestly feel -- I'm a third-generation
22 Kane'ohe resident, and I feel that it should be taken
23 down, and that's what I have to say on the matter.
24 Thank you.

25 CHAIR ANDAYA: Okay, Mr. Santos. Thank

1 you very much for joining us tonight. Aloha and take
2 care.

3 MR. SANTOS: Aloha.

4 CHAIR ANDAYA: Hello, this is the Board
5 of Water Supply. Before we begin, could you please
6 turn down that live broadcast in the background?

7 MS. LEONG: Hello?

8 CHAIR ANDAYA: Yes. Hello.

9 MS. LEONG: Hi, my name is Rae Leong.

10 CHAIR ANDAYA: Okay. Please spell your
11 first and last name, and could you please turn down
12 the broadcast in the background. We can barely hear
13 you.

14 MS. LEONG: I thought I did. Where can
15 I -- okay. I turned it off. Is that okay?

16 CHAIR ANDAYA: That's much better. Thank
17 you.

18 MS. LEONG: Okay. So my name is Rae
19 Leong, R-A-E, L-E-O-N-G. I've lived in this
20 neighborhood for over 30 years. Coming here, it was
21 country quiet. For the past 20-plus years, it's been
22 total invasion from inconsiderate trespassers who
23 have no regard for our property, boundary and no
24 regard for the safety of our keiki. Numerous
25 strangers wandering our neighborhood day and night.

1 They would come up to do the sunrise or sunset and
2 check it off their bucket list, leave their trash on
3 our street, block our driveway, use our water hose,
4 leave the water running. They tell us they came
5 specifically to Hawaii to do the hike knowing full
6 well they were committing a crime. They come with
7 the intent to trespass knowing full well there's
8 police present. They play this cat-and-mouse game
9 with HPD all day. They come up during the day and
10 they do reconnaissance, trying to figure out where
11 they can enter, and they come back at night and they
12 go up.

13 Travel guides advertise on social media.
14 For a fee, they'll accompany the hikers. One guy
15 actually said he's using his Hawaiian gathering
16 rights as his right to hike the stairs while
17 functioning as a hiker guide and getting paid.

18 Board of -- numerous times I've seen
19 people walk on my wall. My rottweilers are nipping
20 at their heels, and I finally decided that was
21 enough. I asked the Board of Water Supply to take
22 their pole off my property that held their gate
23 because my fear was someone was going to fall on my
24 property, and my dog would attack them and I would
25 get sued. I've attended Kane'ohe board meetings. I

1 attended -- I was involved in Ikaika Anderson's work
2 group in 2014 for three months. Every week went to a
3 meeting. The intent was to come to a mutually
4 agreeable solution. I, in my opinion, did not think
5 that they -- the residents were represented well.
6 And Friends of Ha'iku people sat --

7 CHAIR ANDAYA: Ms. Leong -- sorry to
8 interrupt you, Ms. Leong.

9 MS. LEONG: Yeah.

10 CHAIR ANDAYA: I can give you one more
11 minute.

12 MS. LEONG: Okay. So Friends of Ha'iku
13 sat on the -- on that board as well, that meeting,
14 and I invited them to come and sit in my yard and see
15 what I go through. Nobody took me up on that
16 invitation. I witnessed numerous rescues even with
17 the fire department helicopters, and we pay for that
18 helicopter ride.

19 I do not believe that managed access will
20 work. There's way too many access points. The
21 hikers will come up at night to avoid paying, and if
22 they don't make reservations, they're still going to
23 come up at night so they can do the hike. Please
24 take out the stairs. Thank you.

25 CHAIR ANDAYA: Okay. Thank you very

1 much, Ms. Leong. Thank you for joining us tonight.
2 Aloha and mahalo.

3 Hello, this is Board of Water Supply.
4 Can you please state your name and spell both your
5 first and last names?

6 MS. SMITH: Hello. Good evening. My
7 name is Danielle Smith, spelled D-A-N-I-E-L-L-E,
8 S-M-I-T-H.

9 CHAIR ANDAYA: Hello, Ms. Smith. You
10 have three minutes to provide testimony.

11 MS. SMITH: Thank you. I'm just calling
12 in support for keeping the stairs. I don't believe
13 that a liability issue should be considered much at
14 all. We don't consider it when we open up our other
15 natural resources. Our beaches are one of our
16 biggest natural resources on the island, and they
17 cause deaths every year. They cause injuries every
18 year, and we allow the public to appreciate them. We
19 allow tourists to come to appreciate them. We don't
20 try and block access even when neighbors struggle
21 with people coming and parking in front of their
22 houses, which I know is a big issue in Kane'ohe with
23 the stairs. It still doesn't prevent us from
24 allowing people to access the beaches. So I don't
25 believe we should be doing that for our hikes because

1 they're just as valuable to our land as the ocean is.

2 Thank you very much. That's all I have.

3 CHAIR ANDAYA: Thank you very much,

4 Ms. Smith. Aloha and mahalo.

5 MS. SMITH: Mahalo.

6 CHAIR ANDAYA: Aloha. This is Board of
7 Water Supply. Please state your name and spell your
8 first and last names. Hello?

9 MR. KEAHI: Hi, this is Chris Keahi,
10 C-H-R-I-S, K-E-A-H-I.

11 CHAIR ANDAYA: Oh, hello, Mr. Keahi. You
12 have three minutes to provide testimony.

13 MR. KEAHI: Aloha. I could go on all
14 night about how fantastic and awe inspiring Ha'iku
15 Stairs are and how much of a public loss it would be
16 if you remove them, but I think you're all well aware
17 and some of you have even done site visits. Instead,
18 I'd like to talk literally.

19 I think we all actually agree on one
20 thing which is the board does not want to be
21 responsible for Ha'iku Stairs, and we also don't
22 think that, you know, their position is that's not in
23 the charter or their mission.

24 And so in the EIS, the board already
25 stated that they don't really have interest or plans

1 in this land. And as such, I don't think that, you
2 know, it's appropriate to continue holding onto that
3 land or removing the stairs before, you know, that
4 land had a chance with someone else. And I think
5 conveyance in that situation is kind of the situation
6 that makes sense.

7 Fortunately, the financial impact
8 analysis also agreed with that. Just to recap,
9 940,000 to remove the stairs, \$800,000 to repair them
10 for a benefit of up to 1.2 million if it gets sold.
11 I just want to underscore that it's actually cheaper
12 to repair the stairs than to remove them. So given
13 that, you know, I can't really come up with a reason
14 why it would be better to remove them, you know,
15 other than maybe it makes life easier for the board,
16 you know, but I think it's important to honor our
17 duty to the common good.

18 When I'm done with my comments, I'd love
19 to hear in section 1.5.3.2, you mentioned the city
20 indicated a desire to take conveyance of this land --

21 THE REPORTER: Can you ask him to slow
22 down?

23 MR. KEAHI: -- and I'd love to hear some
24 things about that. I have some interest in that.

25 CHAIR ANDAYA: Mr. Smith, can you just

1 slow down a bit?

2 MR. LAU: Mr. Keahi.

3 CHAIR ANDAYA: Mr. Keahi, sorry. Could
4 you please slow down just a little bit?

5 MR. KEAHI: Oh, sure. You want me to go
6 back a little bit?

7 CHAIR ANDAYA: No. I think you're okay.

8 MR. KEAHI: So given that it's cheaper to
9 repair the stairs than to remove them, you know, I'm
10 not sure why you would remove them, you know, other
11 than it might make life easier for the people
12 managing them, but I think it's, you know, abandoning
13 our duty to the public if you do that.

14 In section 1.5.3.2 of the analysis, it
15 said the city was interested in taking conveyance of
16 the land. When I'm done with my comment, I'd be
17 curious if there's any updates to that, if other
18 parties have expressed interest. I also wanted to
19 mention, you know, if you guys are worried about
20 being able to raise the \$800,000 to repair them, I
21 think you'd have amazing success with like a GoFundMe
22 crowdfunding. You know, I would donate a thousand
23 dollars. I mean, you've gotten thousands of people
24 that have written in about this. So I'm sure they
25 would be, you know, happy to chip in.

1 THE REPORTER: I'm sorry. It's really
2 hard to understand him.

3 MR. KEAHI: And I also wanted to
4 comment --

5 CHAIR ANDAYA: Mr. Keahi, we're still
6 having a hard time understanding you because you're
7 going too fast. So I'll give you another minute to
8 summarize.

9 MR. KEAHI: Okay. I wanted to comment on
10 people who are mentioning that, you know, these
11 stairs are being used by tourists as if that's a bad
12 thing. I think it's actually great that tourists are
13 getting out of the indoors and appreciating the real
14 natural beauty of Hawaii and our natural areas.

15 And people are also acting like hikers
16 want to trespass, like they want to be on other
17 people's property and hiking the stairs at 4:00 in
18 the morning. And I think that's a little bit
19 ridiculous. You know, they only go there and
20 trespass because they don't have a legal way to
21 access, you know, these beautiful views. And if we
22 gave people convenient, you know, legally accessible
23 ways to do it -- you know, it's impossible to listen.
24 Like somebody said earlier, everyone's going to take
25 the easy access.

1 CHAIR ANDAYA: Okay, Mr. Keahi.

2 MR. KEAHI: People don't want to be
3 escorted.

4 CHAIR ANDAYA: Thank you very much for
5 your comments tonight. Very appreciated. We will
6 make a note of it. Aloha and mahalo.

7 MR. LAU: Chair, maybe we can ask them to
8 speak slowly.

9 THE REPORTER: It sounded like he was
10 talking through a muffler.

11 MEMBER SOON: It was a little muffled.

12 MR. LAU: It was hard to hear.

13 CHAIR ANDAYA: I know.

14 MR. LAU: A little less legible --
15 intelligible.

16 CHAIR ANDAYA: Yeah, it's not like court.

17 MEMBER SWORD: We understood -- we
18 understood the core -- the essence of what he said.

19 CHAIR ANDAYA: But I will try to remind
20 them.

21 All right. How many more do we have?

22 MR. NORSTROM: We have about 11.

23 CHAIR ANDAYA: Aloha. This is Board of
24 Water Supply. Can you please state your name and
25 spell your first and last name?

1 MR. BELL: Yes. My name is -- hello.
2 I'm sorry. I was on mute. My name is David Bell.
3 Are you there?

4 CHAIR ANDAYA: Yes, we're here. Thank
5 you, Mr. Bell.

6 MR. BELL: Okay. David Bell.

7 CHAIR ANDAYA: You have three minutes to
8 provide testimony. Please speak loudly and slowly.

9 MR. BELL: Aloha. Thank you for your
10 time. I want a conclusion for everyone especially
11 Kane- -- Kane'ohe residents. I have read the
12 testimony of those wishing for the destruction of the
13 stairs. Most have not said anything bad about the
14 stairs themselves, but instead have said that they
15 are negative towards the trespassing. There is a way
16 not only to resolve this, but to turn the tide and,
17 within a few years, provide a solution great enough
18 that residents view the stairs as a treasure and are
19 grateful to be in proximity to it.

20 Twenty years ago, the BWS took over the
21 land that the stairs sit on, and in that contract,
22 they took responsibility for the preservation. They
23 are the masters. Done correctly, the stairs would be
24 a financial asset to the community and provide
25 education for the keiki, the internships, employment,

1 cultural preservation, funding for additional
2 heritage sites, soil preservation, and aid in the
3 eradication of invasive plant species and provide for
4 the kama- -- sorry -- kama'aina.

5 At home I think many aren't familiar with
6 this, but this work reads:

7 "Twas battered and scarred, and
8 the auctioneer thought it scarcely
9 worth his while to waste much time on
10 the old violin, but he held it up with
11 a smile. 'What am I bidding, good folks,'
12 he cried. 'Who will start the bidding for
13 me? A dollar, a dollar, then two? And
14 who will make it three? Three dollars
15 once, three dollars twice." But no.
16 From the room far back, a gray-haired
17 man came forward and picked up the bow.
18 Then wiping the dust from the old violin
19 and tightening the loose strings, he
20 played a melody sure and sweet, as
21 caroling angels sing. The music ceased
22 and the auctioneer, with a voice that
23 was quiet and low, said, 'What am I bid
24 for this old violin,' and he held it up
25 with a bow. '\$1,000. Who will make it

1 two? \$2,000. Who will make it three?
2 \$3,000 once, twice and going, going,
3 gone,' he said. The people cheered,
4 but some of them cried, 'We do not
5 quite understand. What changed its
6 worth?' Swift came to reply, 'The touch
7 of a master's hand.'"

8 As masters over these historic and unique
9 stairs, you have the ability to see them as an old,
10 worn out violin or as a truly unique masterpiece. I
11 say masterpiece because these stairs weave a
12 beautiful tapestry that intertwine and connect
13 ancient Hawaiian culture, wars, agriculture,
14 folklore, deities, and have a spiritual connection to
15 those past, present and future who look on them and
16 who climb them.

17 Please do not destroy them or auction
18 them off to someone who only sees dollar signs or
19 will make them into a Vegas attraction. We don't
20 fill in the canals of Venice because there's too much
21 tourism, and we don't tear down the pyramids because
22 the homeless -- the homeless issues that surround
23 them. They are viewed as a national and a world
24 treasure, and solutions are found.

25 CHAIR ANDAYA: Okay. Mr. -- Mr. Bell.

1 MR. BELL: Is that three minutes?

2 CHAIR ANDAYA: That is three minutes,
3 unfortunately.

4 MR. BELL: So I think the stairs can be
5 managed properly, and there are viable solutions, and
6 I implore the BWS to have the kuleana of the master's
7 hand and see it for the treasure that it is. Thank
8 you.

9 CHAIR ANDAYA: Thank you, Mr. Bell.

10 MR. BELL: Mahalo.

11 CHAIR ANDAYA: Aloha and mahalo.

12 Good evening. This is the Board of Water
13 Supply. Could you please state your name and spell
14 your first and last name?

15 MS. RENDON: Hello.

16 CHAIR ANDAYA: Yes. Hi. Are you giving
17 testimony before the board tonight?

18 MS. RENDON: Yes.

19 CHAIR ANDAYA: Would you please state
20 your name and spell your first and last name?

21 MS. RENDON: My name is April Rendon.
22 You spell that A-P-R-I-L, last name R-E-N-D-O-N.

23 CHAIR ANDAYA: Hello, Ms. Rendon. You
24 have three minutes to provide testimony tonight.

25 MS. RENDON: All right. So I just want

1 to start off by saying before I ever sat foot on the
2 stairs, I was lost with a lack of self-confidence and
3 self-belief. I was out of shape. I had no direction
4 in life. I was depressed. So during that time, I
5 took on the challenge of climbing Ha'iku Stairs, and
6 as a result, I came out reborn.

7 After Ha'iku Stairs, I had a new outlook
8 and perspective on life. The spirits of the land
9 were felt. They guided me and pushed me. I
10 experienced something I never experienced in my life.
11 I felt one with the land, spirit and universe. A
12 newfound strength was found within. I left feeling
13 confident with drive. No, the mountain didn't get me
14 in physical shape; however, it helped me develop
15 mental strength. I left mentally in shape with
16 motivation for life. The mountain, spirit and
17 myself, for we are all one, changed my life with one
18 climb.

19 Within these last few years, I conquered
20 depression. I'm living purposeful and educating
21 others about health and wellness. I'm now an
22 herbalist, a yoga instructor, fitness coach, and I
23 remain a practitioner. I'm dedicating my life to
24 giving back to the people, land and the plan of God.
25 I'm now whole. But I don't know where I would have

1 been if I didn't take the risk of climbing Ha'iku
2 Stairs. With that being said, I use the word "risk."
3 And I use that word because it was a risk. I jumped
4 over highway barriers, trespassed and maneuvered out
5 of the authority's sight. I'm a wife and a mother of
6 three. I try to put myself in the locals' shoes, and
7 I understand their worry and concern. However, just
8 as word was spread on how to trespass and how to get
9 past authorities, word can now be spread about how to
10 unlearn how to trespass, and we can and we will
11 incorporate safe ways to access the stairs. I'm sure
12 there's more --

13 CHAIR ANDAYA: Ms. Rendon.

14 MS. RENDON: -- that goes into this, but
15 that's not my expertise.

16 CHAIR ANDAYA: Sorry to interrupt you,
17 Ms. Rendon. You have one minute.

18 MS. RENDON: Thank you. I'm sure there's
19 more that goes into this, but that's not my
20 expertise. I'll leave that up to the board.
21 However, I do agree the safety of the locals should
22 be priority, but to tear down the stairs is not the
23 answer. It is our sole duty, our sole, to keep the
24 stairs open for love's sake, love for the land, life,
25 spirit and ourselves. The experience defines many

1 live-changing moments for many lives, not just mine.
2 It's vital we keep the stairs open, and it's
3 important it's a mutual agreement. It's important
4 that we give more time and attention to this matter
5 and do the right thing by preserving the stairs. But
6 thank you for listening to my voice tonight. Aloha.
7 Please save the stairs.

8 CHAIR ANDAYA: Thank you, Ms. Rendon.
9 Take care. Aloha and mahalo.

10 Hello, this is the Board of Water Supply.
11 Could you please state your name and spell your first
12 and last name?

13 MR. TERAOKA: My name is Brent Teraoka,
14 spelled B-R-E-N-T, last name T-E-R-A-O-K-A.

15 CHAIR ANDAYA: Good evening, Mr. Teraoka.
16 You have three minutes to provide testimony tonight.
17 I will warn you when it's -- when you have one minute
18 left. Please speak slowly and speak up.

19 MR. TERAOKA: Good. Thank you so much
20 for the opportunity. Born and raised, Hawaii
21 resident, and I strongly support the Board of Water
22 Supply's recommendation to remove the stairs. As a
23 resident who lives near the stairs, I have witnessed
24 firsthand how much tension and stress and anxiety the
25 stairs have caused for the community. Living next to

1 one of the entrances, my family and I deal with
2 tension, stress and anxiety of trespassers creeping
3 around our house at odd hours on a daily basis. We
4 deal with people climbing our fence and praying that
5 they don't fall into our yard. We've even caught a
6 few of them loitering in our backyard, which has been
7 terrifying and frustrating. As a result, I've had to
8 install multiple security cameras to monitor my
9 property which has also proven to be effective in
10 documating -- documenting over a thousand trespassers
11 over the last year and a half.

12 My videos have captured multiple people
13 scaling the fence, crawling through drainage ditches
14 and wandering through my yard, as I said. I've even
15 caught a man dragging a wild boar he caught while
16 hunting near the stairs through the gated access
17 road.

18 I've submitted several of these videos to
19 Ernest, Kathleen and staff who have been extremely
20 supportive and prompt with response -- with their
21 response, and I really want to commend and thank them
22 for all their hard work and dedication throughout the
23 years. They've also endured all the stress caused by
24 illegal trespassers.

25 So residents in the community actually

1 share the most in common with the Board of Water
2 Supply regarding this issue. We are aware of the
3 liability concerns you have faced over the last few
4 decades, and the residents in the community also deal
5 with unintended consequences that the stairs bring.

6 I read online about all -- about the
7 amount of trash that's being left on the mountain.
8 The fact that people are pleading with others not to
9 leave their bag of human waste on the mountain is
10 disturbing, and someone on Reddit actually asked if
11 they can leave their hiking shoes on the top of the
12 mountain as an offering. But most of all, it is a
13 constant, relentless trespassing that keeps the
14 residents awake and on edge at night.

15 Some arguments have suggested that this
16 illegal trespassing will end when public access is
17 granted, but we know that will not be true. You will
18 still have adventure seekers who want to climb the
19 stairs during nonoperable hours.

20 CHAIR ANDAYA: Sorry, Mr. Teraoka.
21 You've got one minute.

22 MR. TERAOKA: Okay. Bottom line is legal
23 access won't deter trespassing, and that's one of the
24 primary points at this debate; right? So which
25 brings me to my point about security. So there's a

1 dozen of illegal access points to the stairs, and
2 they're also being managed while the stairs are
3 closed. Can you imagine -- what makes anyone believe
4 they will be easier to manage when the stairs are
5 open to the public. It cannot be assumed that
6 trespassing will cease if access becomes legal.
7 Unlike all other hikes on the island, there are
8 multiple ways to access the stairs, an entire library
9 of social media posts, videos and blogs that give
10 instructions that are equally accessible. And let's
11 be honest, part of the thrill of these adventure
12 seekers is looking for a way to evade law enforcement
13 and get to the forbidden stairs. And so we're the
14 ones who have to deal with all the collateral damage.
15 Thank you for your time.

16 CHAIR ANDAYA: Thank you very much,
17 Mr. Teraoka, for your time today providing testimony.
18 Please take care and aloha and mahalo.

19 Hello. This is the Board of Water
20 Supply. Could you please state your name and spell
21 your first and last name?

22 MR. PALMA: Yeah. Thank you. My name is
23 Scott Palma, S-C-O-T-T, P-A-L-M-A, and I live in
24 Honolulu County. And, yeah, I just wanted to say
25 that, you know, my grandfather was a World War II

1 veteran, and so his history is very special to my
2 heart from that era and the prosperous, relatively
3 peaceful world that we live in now is due to their
4 sacrifice. And, sadly, you know, there's fewer and
5 fewer of those veterans left to tell the stories, and
6 all we have is what we keep from that time, and
7 Hawaii has a small, you know, part, but a significant
8 part to play in a very pivotal portion of world
9 history. And as you look to, you know, other
10 cultures or other groups who made decisions, such as
11 you know the Chinese Cultural Revolution and certain
12 temples. Certain statues were destroyed. And the
13 terrorist group, ISIS, destroying temples and
14 artifacts in the Middle East. You know, these are
15 viewed as and they're still viewed as appalling,
16 tragic events.

17 I'm not trying to imply at all that
18 there's any sort of malicious or nefarious, you know,
19 intentions here. You know, this is just, you know,
20 the Board of Water Supply owns the land, and they
21 want to do something, you know, practical and care
22 for the taxpayer and, you know, the people who own
23 houses near the stairs. And, of course, the Board of
24 Water Supply owns the land, but even if you control
25 the land and even if you own the land, you know,

1 history belongs to mankind and history belongs to the
2 world, and it would be wrong, I feel, to destroy it.
3 And now we're going through an historical moment now
4 with this pandemic, and a lot of us, there's people
5 we love and care about that we haven't seen in weeks.

6 CHAIR ANDAYA: Mr. Palma, you have one
7 minute left -- one minute remaining.

8 MR. PALMA: Oh, yeah. Thanks. So we're
9 looking forward to being able to spend time with
10 them, and, of course, one of our favorite ways to do
11 that is outdoors. I mean, there's other mountains
12 and trails, but we all know that every beach and
13 mountain here is, you know, absolutely unique. And
14 people will be able to enjoy these legally and
15 safely, and just like the veterans, you know, one day
16 we're not going to be here anymore, but people will
17 be able to have joy -- joyful memories in their
18 families for decades, generations to come, and it's
19 all in our hands right now. So please save the
20 stairs and mahalo for your time.

21 CHAIR ANDAYA: Thank you very much,
22 Mr. Palma, for your time tonight testifying. Aloha
23 and mahalo.

24 How many?

25 MR. NORSTROM: We have about 12.

1 MEMBER SWORD: We went from 11 to 12.

2 MEMBER SOON: Can we take a break?

3 CHAIR ANDAYA: Yeah, take a break. We'll
4 stand in recess for five minutes.

5 (A recess was taken from 6:54 p.m.
6 until 7:04 p.m.)

7 CHAIR ANDAYA: All right. Welcome back,
8 everybody. We are back in order. For the record,
9 I'm going to be taking roll call again.

10 Vice-Chair Kapua Sproat.

11 (No audible response.)

12 Board Member Jade Butay.

13 (No audible response.)

14 Board Member Kay Matsui.

15 MEMBER MATSUI: I'm here.

16 CHAIR ANDAYA: Board Member Ross
17 Sasamura.

18 MEMBER SASAMURA: Here.

19 CHAIR ANDAYA: Board Member Ray Soon.

20 MEMBER SOON: Here.

21 CHAIR ANDAYA: Board Member Max Sword.

22 MEMBER SWORD: Here.

23 CHAIR ANDAYA: All right. We are going
24 to continue on with our telephone testimony. I know
25 that there are 11 in the queue at the moment. I want

1 to just thank everybody for your patience.

2 Aloha. This is the Board of Water
3 Supply. Thank you very much for your patience.
4 Could you please state your name and spell your first
5 and last name?

6 MR. BOTELHO: Yes. My name is Richard
7 Botelho, R-I-C-H-A-R-D, B-O-T-E-L-H-O, in Kailua.

8 CHAIR ANDAYA: Okay. Mr. Botelho, so
9 you're going to try to please speak up and then speak
10 maybe a little bit slower.

11 MR. BOTELHO: Okay.

12 CHAIR ANDAYA: Okay. So you have three
13 minutes to provide testimony tonight.

14 MR. BOTELHO: Okay. I'm calling to ask
15 you to tear it down. It's a liability both from a
16 maintenance point of view as well as an accident
17 waiting to happen. I also believe it's become more
18 of a tourist attraction than anything else with local
19 taxpayers footing the bill for any maintenance and
20 administrative and liability cost. It's also
21 disrupted the lives of the property owners in the
22 neighborhood for too many years. So I'm calling to
23 ask you to please tear it down once and for all.
24 Thank you for hearing me out.

25 CHAIR ANDAYA: Thank you very much,

1 Mr. Botelho, for your time tonight. Take care and
2 aloha and mahalo.

3 MR. BOTELHO: Okay. Thank you.

4 CHAIR ANDAYA: Aloha. This is the Board
5 of Water Supply. Could you please -- thank you very
6 much for your patience. Could you please state your
7 name and spell your first and last name?

8 MR. PUA: Aloha. My name is Kama Pua,
9 K-A-M-A, last name P-U-A, on the Big Island. I did
10 not think you guys would actually respond to this
11 but --

12 CHAIR ANDAYA: No. Thank you, Mr. Pua.

13 MR. PUA: I have got few minutes with you
14 guys. I am just enjoying myself right now.

15 CHAIR ANDAYA: So, Mr. Pua, you have
16 three minutes to provide testimony tonight. I'll
17 warn you when you have one minute.

18 MR. PUA: Okay. Well, how you guys
19 doing? I hope everybody is all G over there with the
20 pandemic going down. I just wanted to talk to you
21 guys about what I experienced in the time that I had
22 on that mountain not being from there and
23 educational-wise would be one of the greatest things
24 that would help benefit from preventing bad things
25 happening to people from there and not from there.

1 Removal of the stairs will not, I mean,
2 stop anything that anyone from below and the -- up
3 that mountain from stopping, you know, families from
4 there and not from there seeing this beautiful place
5 that you guys have to offer.

6 Yeah, all we can really do is educate, I
7 want to say, and, guys, there have been incidents
8 where I have -- it's not like I like hiking there all
9 the time, but when I went there, people want to go to
10 a place. They don't know how to get there or what to
11 carry with them or what to wear. And only if they
12 have somebody to guide them on the way there, they
13 would have made it there safely and back with no
14 problems at all.

15 So that's my two cents I can really give.
16 I've been hanging with the family below on both
17 sides. Of course, they have a lot of problems with
18 people trespassing, but they do really wish the best
19 for anyone who wants to enjoy Oahu's beauty because
20 that's what it's really known for and since it's so
21 natural, there's no way you can stop --

22 You can remove the stairs if you want to,
23 but you're going the wrong way with the whole
24 financial stuff. I wish the best for everybody over
25 there. It would be awesome if there were nicer

1 people in the world. Yeah, I think I'm at the end of
2 my three minutes.

3 CHAIR ANDAYA: Okay. Thank you very
4 much, Mr. Pua. Take care, aloha and mahalo.

5 Aloha, this is the Board of Water Supply.
6 Thank you very much for your patience tonight. Could
7 you please state your name and spell your first and
8 last name?

9 MR. WONG: Sure. My name is Karlson
10 Wong, first name Karlson, K-A-R-L-S-O-N, last name
11 Wong, W-O-N-G.

12 MR. WONG: Aloha, Mr. Wong. So you have
13 three minutes tonight to provide testimony. I'll
14 warn you when you have one minute left.

15 MR. WONG: Sure. Okay. Thank you.
16 First of all, I'd like to say thank you for taking my
17 call. I also want to say that I believe that we can
18 all agree that those stairs are a historic landmark
19 and we can -- and we also have an obligation to the
20 Coast Guard to take care of those stairs. So I think
21 that taking down the stairs would be a great
22 disservice to the public, to future generations and
23 especially to Hawaii's word and honor. That specific
24 location, those stairs, are world famous. A lot of
25 people come to Hawaii for those stairs for their

1 social media accounts, and they stay for everything
2 else.

3 If people can't listen to the government
4 to stay home for their own health during the pandemic
5 and they're risking getting arrested and getting
6 fined up there, removing those stairs is not going to
7 stop them from doing what they want. People will
8 always find a way. That's just -- that's just human
9 nature. You tell somebody they can't do something,
10 they're going to want to do it more. So if you take
11 down those stairs, they'll find another way up.

12 I think for everyone to win, for the
13 locals to win, for the Board of Water Supply to win
14 as well as the world to win and generations after us,
15 in order for everyone to win, we need to keep those
16 stairs and hand it over to a third party that will
17 allow the public access to it legally. There's going
18 to be more than enough funds for the third party to
19 keep the area clean, secured at night and even share
20 some profits to the Board of Water Supply and the
21 local community. Most of all, they'll eliminate the
22 Board of Water Supply's liability. If the internet
23 and outdoor magazines can show everyone all the
24 different illegal ways to get to the top, then the
25 internet and outdoor magazines can also show everyone

1 how to do it legally. So everybody wins. Nobody is
2 going to risk getting fined or arrested when they can
3 access it legally. It's not like -- it's just like
4 how nobody breaks into Disneyland or movie theaters
5 at night. Simple as that. That's all I wanted to
6 say. Thank you for your time.

7 CHAIR ANDAYA: Thank you very much,
8 Mr. Wong, tonight -- testifying tonight. Take care
9 and aloha and mahalo.

10 Aloha. This is the Board of Water
11 Supply. Could you please state your name and spell
12 your first and last name?

13 Hello. Are you calling to testify?
14 Hello?

15 MR. ALMEIDA: Oh, I'm sorry. You're on
16 mute. Hello?

17 CHAIR ANDAYA: Yes. This is the Board of
18 Water Supply. Could you please state your first and
19 last name and spell it as well?

20 MR. ALMEIDA: Yes. My name is Makoa
21 Almeida, M-A-K-O-A, and last name Almeida,
22 A-L-M-E-I-D-A.

23 CHAIR ANDAYA: Good evening, Mr. Almeida.
24 You have three minutes to provide testimony tonight.
25 I will warn you when you have one minute left.

1 MR. ALMEIDA: Okay. Thank you. So my
2 testimony is that we should keep the stairs in Ha'iku
3 because we have seen many people enjoy the hike, and
4 we are residents of Puoni Place. And, yes. And, oh,
5 I'm so sorry. We think that we should have -- the
6 hikers should have safe access to the stairs from
7 someplace else in the valley because, to us, the
8 stairs is a treasure of our valley, and the hikers
9 don't really bother us as residents of the
10 neighborhood. And, yeah, that's pretty much it.
11 Sorry.

12 CHAIR ANDAYA: Oh, you're fine,
13 Mr. Almeida.

14 MR. ALMEIDA: Okay. Thank you.

15 CHAIR ANDAYA: Thank you very much for
16 your time testifying tonight. Aloha and mahalo.

17 Aloha. This is the Board of Water
18 Supply. Could you please state your name and spell
19 your first and last name?

20 MR. SHINSATO: Yes. Patrick,
21 P-A-T-R-I-C-K, last name Shinsato, S-H-I-N-S-A-T-O.

22 CHAIR ANDAYA: Good evening,
23 Mr. Shinsato. Thank you for your patience, by the
24 way. You have three minutes to provide testimony
25 tonight. I'll warn you when you have one minute

1 left.

2 MR. SHINSATO: Okay. I was born in
3 Honolulu, Hawaii. I'm a local business owner and in
4 favor of keeping the stairs. I am currently in the
5 process of submitting a formal written proposal to
6 manage the stairs through the private collection of
7 fees to take the liability off the Board of Water
8 Supply. I am prepared to manage the stairs' access
9 through professionally guided hike tours for safety
10 purposes, address the security issues, work with the
11 local neighborhoods to take care of their problems
12 that they're having, utilize the fees to pay the
13 conveyance fees and upkeep of the stairs, to pay the
14 state and county their agreed revenue, and to further
15 use the fees for continued maintenance and other
16 business operational costs.

17 Hopefully, after all this is paid out, I
18 will make a small profit because looking at the
19 illegal trespassers per day, month and year, it can
20 be managed by a fee recovery where everyone wins.
21 That's basically it. Thank you.

22 CHAIR ANDAYA: Okay. Thank you very
23 much, Mr. Shinsato, for taking the time tonight to
24 testify. Take care, aloha and mahalo.

25 Aloha. This is the Board of Water

1 Supply. Thank you very much for your patience.
2 Could you please state your name and spell your first
3 and last name?

4 MS. YOKOTAKE: Yes. Hello. I'm Carleen
5 Yokotake, C-A-R-L-E-E-N, Y-O-K-O-T-A-K-E.

6 CHAIR ANDAYA: Good evening,
7 Ms. Yokotake. You have three minutes to provide
8 testimony tonight. We'll warn you when you have one
9 minute left.

10 MS. YOKOTAKE: Thank you. I want to
11 first thank Kathleen Pahinui, Ernest Lau and all the
12 members of the board for allowing me to testify and
13 especially, again, the Board of Water Supply for
14 responding promptly to us.

15 I am a resident, and I live near the
16 access point, and I am in full support of tearing the
17 stairs down or removing them. The issue really is
18 trespassing. However, there's absolutely no way that
19 managed access will work only because there are just
20 too many access points. I see it and live it
21 firsthand. I, too, had to install security cameras
22 on my property. I've had my driveway blocked, my --
23 trash left all over, my mail not delivered. Hikers
24 are very aggressive. You know, we've been yelled at.
25 I mean, they're very -- I'd say the majority aren't

1 respectful, and I've been living here for 20 years
2 now.

3 The problem will really not go away.
4 Giving temporary -- transferring it over to the city
5 is -- it's just a bad idea. I think if you look at
6 their track record, they fixed it with no plan, and
7 so how can you trust them now? They say they have a
8 plan, and it's to transfer it to somebody else.

9 I mean, I think everyone is saying that
10 if we give them access, they'll stop trespassing.
11 Well, they're not trespassing because they have no
12 access. They're trespassing because they can, they
13 will and they want to. What's really aggravating to
14 me and very, very upsetting and disturbing is all of
15 these people calling in saying "I support the stairs.
16 I hiked it." I mean, right there, they broke the
17 law. I mean, how can you --

18 I just have a hard time believing that
19 the trespassing will stop. They're going to come all
20 hours of the day like they do now. I've had people
21 walking in the back of my house at 5:00 a.m. in the
22 morning, 3:00 a.m. in the morning, 15 feet from my
23 window, and it's just -- I can't even tell you the
24 living hell we've been in. Even with police present
25 and everything like that, they still get up there in

1 record numbers. With the quarantine in order, they
2 still come. They have no regard for our safety, for
3 human nature, for humankind.

4 So the issue here is really, again,
5 they're trespassing because they can and they will.
6 It doesn't matter if you put security. They're going
7 to come in the off hours, and why would I pay to hike
8 when I can go for free in the off hours?

9 CHAIR ANDAYA: Sorry, Ms. Yokotake. You
10 have one more minute.

11 MS. YOKOTAKE: Okay. Legal access will
12 not absolve you, Board of Water Supply, from
13 liability because they have to -- the trespassers
14 will still come up your road and -- on the off hours.
15 So there is no way to prove that they will stop
16 coming, and we don't want to find out after the fact.
17 So if people are not following the law now, they're
18 not going to follow it any -- any other time, and
19 that's the main issue. So give it to Kualoa Ranch.
20 That's a win-win, and that's the only solution that
21 the residents will support. People get to hike, and
22 they can manage it. They have parking. Takes it out
23 of the neighborhood, but leaving the stairs where
24 they are absolutely will not work. And maybe the
25 first lady, did you guys ask her if she was out of

1 her quarantine? You should check. Thank you for
2 your time.

3 CHAIR ANDAYA: Thank you very much,
4 Ms. Yokotake, for taking the time to testify tonight.
5 Take care, aloha and mahalo.

6 Aloha. This is the Board of Water
7 Supply. Thank you very much for your patience.

8 MR. FURUTO: Yes.

9 CHAIR ANDAYA: Would you please state
10 your name and spell your first and last name?

11 MR. FURUTO: Okay. Albert Furuto,
12 A-L-B-E-R-T, F as in Frank, U-R-U-T-O, Furuto.

13 CHAIR ANDAYA: Good evening, Mr. Furuto.
14 You have three minutes to provide testimony tonight.
15 I will warn you when you have one minute left.

16 MR. FURUTO: Okay. Well, I'll make it
17 pretty quick. You know, I lived here my whole life,
18 and I've had some different times of, you know, going
19 there, but, you know, I heard it was closed and I
20 didn't want to either trespass or anything like that.
21 So I was waiting for this thing to get resolved. But
22 because I've lived here my whole life and having gone
23 on that Stairway to Heaven, I was hoping that they
24 would keep it open for a few more years if possible.
25 And it would be a great attraction -- tourist

1 attraction and visitor attraction, but even more so
2 for the people who lived here and have never gone up
3 there. So, you know, I'm requesting that, you know,
4 it be fixed up and kept open.

5 CHAIR ANDAYA: Okay. Thank you very
6 much, Mr. Furuto.

7 MR. FURUTO: Yes.

8 CHAIR ANDAYA: Thank you very much.

9 MR. FURUTO: Thank you very, very much.

10 CHAIR ANDAYA: Yes. Thank you. Take
11 care.

12 MR. FURUTO: Aloha. Thank you.

13 CHAIR ANDAYA: Aloha. This is the Board
14 of Water Supply. Thank you very much for your
15 patience. Please state your name and spell your
16 first and last names.

17 MR. WASSERMANN: Yes. My name is Luke
18 Wassermann, L-U-K-E, W-A-S-S-E-R-M-A double N. Thank
19 you very much for your time. I'm watching the
20 proceedings here at home with my nine-month-old
21 daughter, and I do hope that in 20 years or 15 years
22 whenever she's old enough, strong enough to do a hike
23 like that, that I don't have to tell her a sad story
24 of how the stairs were torn down because of a lack of
25 foresight and a lack of imagination about how this

1 historical site could be preserved in a way that
2 really makes everyone happy and reach a satisfactory
3 solution for everyone.

4 I know the residents are not happy with
5 the situation. I think some people are aware that
6 the primary attraction of climbing the stairs is the
7 view at Pu'u Keahi a Kahoe, which is definitely one
8 of the most magnificent views in the Ko'olaus, if not
9 the world. And many people access in summit via a
10 route commonly known as Moanalua Middle Ridge. And
11 it's interesting I don't hear complaints coming from
12 residents of the Moanlui -- Moanalua Valley
13 neighborhood because that access starts from a legal
14 trail head. There's a state-managed trail, the
15 Kulana'ahane trail that starts from the same spot.
16 And because there is a legal and open access to that
17 route, I don't think that the local neighbors have a
18 big problem with people hiking in from that area.

19 Unfortunately, that route has suffered a
20 lot of environmental damage because of the amount of
21 foot traffic. I think that having the stairs closed
22 has diverted a lot of foot traffic, from people who
23 do not want to risk the fines, over to the Moanalua
24 Middle Ridge route, and it's become heavily eroded
25 and actually quite dangerous. So I do think that the

1 board should consider the environmental impact on
2 that route. I'm not sure who owns that land.

3 CHAIR ANDAYA: Mr. Wassermann, you've got
4 one minute.

5 MR. WASSERMANN: Thank you.

6 So I think we should consider the
7 environmental impacts on the alternative route.
8 Also, the safety of that route is definitely
9 questionable. I've hiked that route a couple times
10 myself, and it's really not appropriate for anything
11 less than an advanced hiker with really good shoes
12 and spikes because it can be quite steep and
13 slippery.

14 So in consideration of that and also just
15 the historical significance of the stairs, I think we
16 should really try to find a solution that works for
17 everyone to keep them open. And I believe that if
18 there is a manage -- managed-access legal route, that
19 the neighbor -- neighbors will not experience
20 problems with disrespectful people illegally
21 accessing the entrance into the stairs. A lot of
22 them probably go through their property because they
23 don't know how to access the stairs.

24 CHAIR ANDAYA: Thank you, Mr. Wassermann.

25 MR. WASSERMANN: Thank you very much.

1 CHAIR ANDAYA: Thank you. Aloha.

2 Aloha. This is the Board of Water
3 Supply. Thank you very much for your patience.
4 Would you please state your name and spell your first
5 and last name?

6 MR. BAXTER: My name is Michael Baxter,
7 M-I-C-H-A-E-L, Baxter, B-A-X-T-E-R.

8 CHAIR ANDAYA: Thank you, Mr. Baxter.
9 You have three minutes to provide testimony tonight,
10 and I will warn you when you have one minute left.

11 MR. BAXTER: Okay. Thank you.

12 Okay. It turns out -- I'm a retired
13 Coast Guard and I used to be stationed up here, and
14 it turns out we used to maintain the stairway. I
15 would say that this is probably the safest trail in
16 all of Hawaii because it's probably the only one that
17 has have stairs and a railing. I would say there's
18 three problems, liability --

19 Liability: Have the hikers sign a
20 liability waiver relieving the State of Hawaii of any
21 liability in case of accident -- accidental injury or
22 death.

23 This could also be a positive cash flow
24 charging hikers a fee. It could cover the cost of
25 the monitors who work there. Maybe have guided

1 tourists that take small number of visitors in groups
2 tracing the initial building, history, purpose and
3 also the fauna that's up there. Maybe even have an
4 online sign-up and have certain times where they go
5 up to the top so that the online sign-up, there would
6 be a limitation to so many people to go up there and
7 it wouldn't be mobbed.

8 Parking: Residents have always
9 complained of trash left behind in their yards and
10 the noise that follows. This occurs because of the
11 road being closed to the Coast Guard Omega Station.
12 There is parking in two lots up there. I know that
13 because I was stationed. In one area at the main
14 transition building and another parking lot further
15 up where towards where the utilities building is.
16 This would literally eliminate residents nearby being
17 disturbed, hassled and the trash.

18 So I think this -- I think this would be
19 a positive thing, a positive cash flow. Unblock the
20 road. There's parking up there. Have a limited
21 number of people each day go up there because there's
22 an online sign-up, and also have people pay for it.
23 Liability issues, have a waiver being signed by the
24 hikers themselves --

25 CHAIR ANDAYA: Excuse me.

1 MR. BAXTER: -- in case of accidental
2 injury or death.

3 CHAIR ANDAYA: Excuse me, Mr. Baxter.
4 You have one minute left.

5 MR. BAXTER: Okay. So I think it would
6 be a shame and would cost a hell of a lot more money
7 to take the stairs down than keep it going and make
8 some money off it. This is a positive cash flow
9 situation, and really I would -- I think it's really
10 just a spectacular view up there. You're never going
11 to get another one until you get in an airplane.

12 So, plus, I think you even have people up
13 there that would volunteer to keep the stairs in
14 shape. I think there's a group, Friends of Ha'iku
15 Stairs, that would even help. That's about it.

16 CHAIR ANDAYA: Thank you very much,
17 Mr. Baxter, for your time tonight submitting
18 testimony. Take care and aloha and mahalo.

19 MR. BAXTER: Okay. Thank you for taking
20 it.

21 CHAIR ANDAYA: Aloha. This is Board of
22 Water Supply. Thank you for your patience. Could
23 you please state your first and last name and spell
24 for the record?

25 MR. WAINSCOAT: Aloha. My name is Roen

1 Wainscoat. My first name is spelled R-O-E-N, and my
2 last name is spelled W-A-I-N-S-C-O-A-T. I'm a high
3 school student here on the windward side of Oahu. I
4 really enjoy hiking, and I have done Koko Crater
5 stairs several times, and I have always wanted to
6 climb the Ha'iku Stairs. I have not climbed the
7 Ha'iku Stairs yet because I want to do it legally
8 without running through private property and angering
9 nearby residents.

10 I believe there are ways to access this
11 trail without going through people's yards. I
12 support the managed access of Ha'iku Stairs because
13 if we tear these down, it's gone forever. We can't
14 see in 50 years then turn around and say, "Oh, I
15 wish -- look, I mean, I remember what those things
16 were." Right? It's just going to be a sad story.
17 So it's gone forever if we do choose to tear this
18 down.

19 It's an internationally known hike. It's
20 a historical structure built around the 1940's, and I
21 just want to know are we going to take the easy way
22 out and tear this historical landmark down, or are we
23 going to be preserving it for generations to come?
24 I'd like my children and grandchildren to be able to
25 climb these in a safe and legal way to marvel at the

1 majestic view that they offer, and I hope that you
2 also support this position so that your keiki can
3 enjoy them.

4 One of the concerns I've often heard is
5 that trash is being left and people have been going
6 to the bathroom around the area. So that I would
7 recommend leaving a trash can or porta potty near the
8 managed access which would easily mitigate these
9 issues brought up by some concerned residents.

10 Giving the stairs to Kualoa Ranch, which
11 is an idea I heard, still means tearing them down,
12 and I really don't see that as an acceptable
13 solution.

14 So to close out my testimony, I just want
15 to say please do not give in to a very small and
16 vocal minority. The vast majority of kama'aina want
17 this trail to stay. My name is Roen Wainscoat, and I
18 strongly oppose the destruction of this world-renown
19 historical landmark. Thank you so much for your
20 time.

21 CHAIR ANDAYA: Thank you very much,
22 Mr. Wainscoat, for your time testifying tonight.
23 Take care, aloha and mahalo.

24 MR. WAINSCOAT: Aloha.

25 CHAIR ANDAYA: Aloha. This is the Board

1 of Water Supply. Please state your name and spell
2 your first and last name.

3 MS. SORDEN: My name is Kimmie Sorden,
4 S-O-R-D-E-N, first name, K-I-M-M-I-E.

5 CHAIR ANDAYA: Hello, Ms. Snowden (sic).
6 You have three minutes to provide testimony. I'll
7 warn you when you have one minute left.

8 MS. SORDEN: Okay. Thank you very much.

9 My name Kimmie Sorden. I am calling from
10 Missouri. I am calling because I -- I had visited
11 Hawaii in August. I have known about the stairs for
12 a long time. I have two children, a daughter that's
13 17, a son that's 12, a father that proudly served in
14 the United States Navy, and a husband that proudly
15 served and --

16 CHAIR ANDAYA: Ms. Snowden, we're having
17 trouble --

18 MS. SORDEN: Yes?

19 CHAIR ANDAYA: Hearing you. So maybe if
20 you could -- maybe slow down a little bit and speak
21 up. That would be great.

22 MS. SORDEN: Oh, sorry. I have family --
23 my father has proudly served in the U.S. Navy. I
24 have two kids that are 17 and 12. We visited Hawaii
25 in August, and we wanted to go to the stairs. I

1 found out that they were illegal. So what I did
2 is -- what I find interesting, there's many good
3 points brought up on this, brought up by the
4 residents and other people I heard tonight. And, you
5 know, I have talked to a couple of residents, in
6 fact, the lady who lived next to the gate at the
7 stairs, and she was telling me the history and all
8 kinds of stuff. And, you know, never once were the
9 residents rude. And so the lady told me that she
10 wanted -- that she hoped one day the stairs would
11 stay open.

12 You know, it's a piece of history. I
13 don't want it to go away. I would love to be able to
14 take my kids up there one day if it were to ever
15 legally open, and I'd like the residents to know that
16 there are a lot of people, especially where I live,
17 that would love to go to the stairs, but because it's
18 illegal, we do not do it.

19 I also want to reiterate I have called
20 the police department while I was there to figure out
21 if it was legal or illegal, and I had asked about the
22 Moanalua Valley way, and as many people would say,
23 it's very dangerous. And as a nurse, that's not
24 something that I'm not willing to risk or even want
25 to put my kids through.

1 I also would like to make a suggestion.
2 There's a place in Arizona called Lake Havasupai
3 Falls. And as the one gentleman, Mr. Baxter, said,
4 you can do something online and, you know,
5 reservations and --

6 CHAIR ANDAYA: Sorry --

7 MS. SORDEN: -- you guys need to --

8 CHAIR ANDAYA: Sorry, Ms. Snowden, to
9 interrupt you. You have one minute left.

10 MS. SORDEN: Thank you very much. They
11 do reservations once a year, February 1st, and many
12 people for many years, including myself, I waited
13 five years to obtain reservations to get tickets.
14 And I know that they make, I think, around \$5 million
15 a year, and it's locals that run it. It's Havasupai
16 Village. So I'd like to just throw that suggestion
17 out there. And there's many people around the world
18 that want to see the stairs saved, especially because
19 it's a big part of history, and that's one reason we
20 love Hawaii so much is the history around it. They
21 take care of the land. They take care of what they
22 have, and I'd really hate to see the stairs go. And
23 I thank you for your time. Thank you.

24 CHAIR ANDAYA: Thank you very much,
25 Ms. Snowden, for your time testifying tonight. Take

1 care, aloha and mahalo.

2 Aloha. This is the Board of Water
3 Supply. Please state your name and spell your first
4 and last name.

5 MR. GOTTES: Hi. Thank you for all of
6 your patience. Public hearings can be a bit of a
7 challenge. I'm John --

8 CHAIR ANDAYA: Thank you for your
9 patience.

10 MR. GOTTES: Sure. I'm John Gottes,
11 J-O-H-N, G-O-T-T-E-S, and I'll be mercifully brief.

12 I think we can all agree the stairs do
13 have a historical significance. And, yes, I fully
14 understand that living next to a site of historical
15 significance can be onerous, but the answer to that
16 problem should not be that we destroy the place of
17 historical significance. Living next to a national
18 park or other popular historical site is a difficult
19 challenge, but we do not respond to that challenge by
20 closing our national parks or tearing down their
21 historical sites. We should not destroy our natural
22 historical heritage. We should protect that heritage
23 and provide for proper and safe access to minimize
24 the burden on our community.

25 So I just urge you this evening to be

1 judged kindly by history and to transfer
2 responsibility and liability for the stairs to the
3 county. I thank you.

4 CHAIR ANDAYA: Thank you very much,
5 Mr. Gottes, for your time testifying tonight for your
6 patience. Take care, aloha and mahalo.

7 Hello, this is Board of Water Supply.
8 Can you turn down the live feedback in the
9 background?

10 MR. VAZQUEZ: Yes, I have.

11 CHAIR ANDAYA: Okay. Thank you very
12 much. Thank you for your patience. Could you please
13 state your name and spell your first and last name?

14 MR. VAZQUEZ: Yes, sir. Aloha. Thank
15 you so much for taking my call. My name is Eddie
16 Vazquez, E-D-D-I-E, V-A-Z-Q-U-E-Z.

17 You guys look very beautiful. As you
18 know, I'm tuning into the livestream, and I'm
19 definitely loving the masks and the colorful shirts.
20 I'll go ahead and state my side of things, and just
21 like I -- just as everybody else has stated or many
22 of the other people you heard from today have stated,
23 I am -- I am pro of definitely keeping the Ha'iku
24 Stairs. I myself have been fortunate enough to
25 experience the hike, and I would urge people who

1 haven't to really think before they state where they
2 stand if they have not done so. I really urge anyone
3 who is in the room currently to ask themselves if
4 they can so much so make a decision about something
5 that they haven't yet experienced.

6 And I'll tell you about my experience
7 very briefly. Because I know that the, quote
8 unquote, "legal way" of hiking is much more dangerous
9 than that of the illegal way, I definitely think that
10 there's much more risk in tearing down those stairs.
11 People will continue to go up those stairs. They
12 will continue to go up the, quote unquote, "legal
13 way." And, fortunately, as is human nature, we are
14 just people who like to push our boundary, and I
15 think that's the beautiful thing about human beings.

16 So if you do decide to tear these stairs
17 down and destroy a piece of beautiful history of the
18 beautiful state of Hawaii and the beautiful island of
19 Oahu, you're risking a lot. I think you will
20 probably risk more deaths in that sense than you
21 would if you were to actually legalize it and
22 regulate it. You have an opportunity to actually
23 make something great as many people have stated.
24 People --

25 I had the experience of talking to people

1 in the island, and they were all very much just
2 wanting to have something that was more regulated and
3 educate people. I think that it if you take that
4 approach, and history tells us that, I think that you
5 will find yourself at a much better place preventing
6 more deaths and, ultimately, being able to capitalize
7 in a good way of this opportunity to show the beauty
8 of the island.

9 CHAIR ANDAYA: Mr. --

10 MR. VAZQUEZ: It really --

11 CHAIR ANDAYA: Mr. Vazquez, you have one
12 more minute.

13 MR. VAZQUEZ: Thank you so much.

14 It really does just go a long way to say,
15 in my experience, that it was a life-changing
16 experience. I cannot tell you that enough about the
17 experience that being in -- being part of that was
18 for me and how much it changed me was that it was a
19 huge part of accomplishing something that I had
20 thought to myself that I couldn't do, and many people
21 that I talked about my experience in the past,
22 they've experienced that and agreed.

23 So I really, really do ask that you
24 consider. I hope that your minds are not made. I
25 hope that you are monitoring the livestream as well

1 on social media because there is a lot of voices
2 there as well that I hope you guys are going to take
3 into account. So, once again, man, I really do
4 appreciate y'all's time. I've stayed up until 12:41
5 tonight here in Texas just because I wanted to have
6 my voice heard, and hope that it does make a
7 difference. You guys have a wonderful night.
8 Mahalo.

9 CHAIR ANDAYA: Thank you very much,
10 Mr. Vazquez, for staying up late and for your time
11 testifying tonight. Take care, aloha and mahalo.

12 MR. NORSTROM: We have one more caller.

13 CHAIR ANDAYA: Aloha. This is the Board
14 of Water Supply. Can you please state your name and
15 spell your first and last name?

16 MR. KIE: Yes. It is Joseph Kie,
17 J-O-S-E-P-H, K-I-E.

18 CHAIR ANDAYA: Thank you very much,
19 Mr. Kie. You've got three minutes to provide
20 testimony. I will warn you when you have one minute
21 remaining.

22 MR. KIE: So just a couple things. We've
23 got the safety of it and lots of speculation that if
24 it's torn down, people will stop coming. There is
25 precedent with Dead Man's Catwalk. Dead Man's

1 Catwalk was torn down for the same reason, same EIS,
2 everything. A neighbor of mine got a ticket going up
3 Dead Man's Catwalk, and I know many people still
4 continue to go up.

5 I just want to bring up to the board the
6 concern of so many who have gotten lost or killed on
7 the back way. Daylan Mokukua from the Big Island, 18
8 years old, in 2015, in January of '15, he went and he
9 told his mom, he said, "I'm going to go. I'm going
10 to hike the Stairway to Heaven. I'm going to hike it
11 the legal way." He disappeared. We have not heard
12 from him since. If there had been legal access on
13 that day in 2015, I believe Daylan would still be
14 here with us today.

15 So it's very important that we realize
16 how safe this ridge hike actually is. The railing on
17 either side as you go up the mountain along with the
18 spikes that go into the mountain keep you safe. They
19 also protect the mountain from erosion. We have a
20 trail -- Moanalua Valley trail that is so deeply
21 eroded, that you actually walk up to your waist in
22 some areas. It's that deep. The ridge has been
23 gouged. These stairs actually hold every step of all
24 those thousands of steps of the hikers to protect the
25 mountain from erosion.

1 So the stairs are actually helping the
2 state, the Board of Water Supply, the people of
3 Hawaii avoid costs related to finding people who
4 might be lost in the back way. They might go off
5 trail. I actually personally rescued two hikers from
6 New Zealand who called at 8:00 p.m. I found them at
7 2:00 a.m. going down the face of the cliff against
8 Kane'ohe. And I know that you are familiar with how
9 steep those cliffs are. Had they continued -- had
10 they not known how to get in touch with me, they
11 would have surely died that night. Not -- not
12 surely, but possibly --

13 CHAIR ANDAYA: Mr. Kie --

14 MR. KIE: -- because --

15 CHAIR ANDAYA: Mr. Kie, you have one
16 minute left.

17 MR. KIE: Thank you so much.

18 So I just wanted to really highlight how
19 much of a safeguard this place is. And,
20 specifically, if we think about moving these stairs
21 to Kualoa Ranch, which I know has been suggested,
22 people will still want to go to the iconic place of
23 it. The stairs themselves will lose their intrinsic
24 value, and although there might be a cool display in
25 a museum-style setting at Kualoa Ranch, there would

1 never be the magic, and it would not be the same.
2 People would still go there, and we would still
3 rescue. All the rescues are on the back side. No
4 deaths on the front side except for one heart attack.
5 It has a phenomenal safety record. So I really
6 beseech the board to look at it as an asset in the --
7 in the area of liability, it's an asset. Thank you
8 for your time.

9 CHAIR ANDAYA: Thank you very much,
10 Mr. Kie, for your time testifying tonight. Take
11 care, aloha and mahalo.

12 MR. NORSTROM: No more calls.

13 CHAIR ANDAYA: All right. That concludes
14 all of our testifiers that we have tonight. I do
15 want to thank everyone of you who did make time to
16 testify before the board. You are an important part
17 of the process. Thank you very much for
18 participating.

19 At this time the board will be taking up
20 decision-making on this issue shortly. I'll now
21 declare the public hearing on Ha'iku Stairs closed.

22 (Whereupon, the hearing adjourned
23 at 7:46 p.m.)
24
25

C E R T I F I C A T E

STATE OF HAWAI'I)
) ss.
CITY AND COUNTY OF HONOLULU)

I, LAURA SAVO, a Certified Shorthand
Reporter in and for the State of Hawaii, do hereby
certify:

That the foregoing proceedings were taken
down by me in machine shorthand at the time and place
herein stated, and was thereafter reduced to
typewriting under my supervision;

That the foregoing is a full, true
and correct transcript of said proceedings;

I further certify that I am not of counsel
or attorney for any of the parties to this case, nor
in any way interested in the outcome hereof, and that
I am not related to any of the parties hereto.

Dated this 11th day of May 2020 in
Honolulu, Hawaii.

s/s Laura Savo
LAURA SAVO, RPR, CSR NO. 347

REGULAR BOARD MEETING

"April 27, 2020

AUTHORIZING
A PUBLIC
HEARING TO
CONSIDER THE
PROPOSED
FISCAL YEAR
2020-2021
OPERATING AND
CAPITAL
IMPROVEMENTS
PROGRAM
BUDGET

Chairman and Members
Board of Water Supply
City and County of Honolulu
Honolulu, Hawaii 96843

Chair and Members:

Subject: Authorizing a Public Hearing to Consider the
Proposed Fiscal Year 2020-2021 Operating and
Capital Improvements Program Budget

We recommend that the Board authorize a public hearing to be held at 2:00 pm on Tuesday, May 26, 2020, to consider the resolution to adopt the proposed Operating and Capital Improvement Program Budget for the fiscal year beginning July 1, 2020, and ending June 30, 2021. A budget workshop is tentatively scheduled for May 11, 2020, at 2:00 pm.

Attached is the draft of the "Notice of Public Hearing" to be published prior to the hearing date.

Respectfully submitted,

/s/ Ernest Y. W. Lau, P.E
Manager and Chief Engineer

Attachments"

The foregoing was for information only.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the BOARD OF WATER SUPPLY, CITY AND COUNTY OF HONOLULU, will hold a PUBLIC HEARING in the Board Room, Public Service Building, 630 South Beretania Street, on Tuesday, May 26, 2020, at 2:00 pm or soon thereafter, where all interested persons shall be afforded the opportunity of being heard, while complying with all directives from the Governor of the State of Hawaii and the Mayor of the City and County of Honolulu, on the adoption of the Proposed Fiscal Year (FY) 2020-2021 Operating and Capital Improvement Program Budget of the Board of Water Supply for the fiscal year beginning July 1, 2020 and ending June 30, 2021.

Information to be discussed at this public hearing will be made available online at www.boardofwatersupply.com. All comments on or suggested changes to the proposed FY 2020-2021 Operating and Capital Improvement Program Budget of the Board of Water Supply should be filed in writing before the date of the public hearing or presented in person at the time of the hearing, via technically feasible methods complying with all directives from the Governor of the State of Hawaii and the Mayor of the City and County of Honolulu. Persons wishing to present oral testimony are requested to register by 1:00 pm on May 22, 2020, with Luella Paekukui, 748-5176, by providing your name, phone number, and subject matter of testimony. Testimony is limited to three minutes and shall be presented by the registered speaker only. Any person requiring special assistance who plans to attend the public hearing, may contact Luella Paekukui at 748-5176, no later than May 19, 2020, so that appropriate accommodations can be provided.

BOARD OF WATER SUPPLY
CITY AND COUNTY OF HONOLULU

DISCUSSION: Ernest Lau, Manager and Chief Engineer, gave the report. There were no comments or discussions.

AUTHORIZING A PUBLIC HEARING TO CONSIDER THE PROPOSED FISCAL YEAR 2020-2021 OPERATING AND CAPITAL IMPROVEMENTS PROGRAM BUDGET MEETING ON APRIL 27, 2020 WERE APPROVED AT THE MAY 26, 2020 BOARD MEETING			
	AYE	NO	COMMENT
BRYAN P. ANDAYA	X		
KAPUA SPROAT	X		
KAY C. MATSUI	X		
RAY C. SOON	X		
MAX J. SWORD	X		
ROSS S. SASAMURA	X		
JADE T. BUTAY	X		

DISPOSITION
OF HAIKU STAIRS

Chair and Members
Board of Water Supply
City and County of Honolulu
Honolulu, Hawaii 96843

Chair and Members:

Subject: Disposition of Haiku Stairs

The Ha'ikū Stairs Final Environmental Impact Statement (Final EIS) has been completed and published in The Environmental Notice with the State Office of Environmental Quality Control on January 23, 2020. Acceptance by the Department of Planning and Permitting was on January 24, 2020, and published in the Environmental Notice on February 8, 2020. The 60-day legal challenge period ended on April 7, 2020, and there were no challenges. A public hearing will be held on April 27, 2020, at the Board of Water Supply (BWS). We are seeking a decision by the Board on the disposition of the Ha'ikū Stairs.

The Ha'ikū Stairs are a potential liability for the BWS because of hikers who continue to illegally climb them. The BWS objective is to eliminate its liability as continued management and operation of Ha'ikū Stairs is not consistent with its mission to provide safe, dependable, and affordable water now and into the future. Accordingly, the Proposed Action evaluated by the Final EIS is to completely remove Ha'ikū Stairs. The Final EIS assessed a range of alternatives, impacts, and mitigation for eliminating BWS liability that includes:

1. No-action;
2. Partial removal of the stair modules; and
3. Conveyance of the land and Ha'ikū Stairs to a public or private entity.

The conveyance alternative discusses the need and principles for a managed access plan, evaluates several access routes from public rights of way, and provides conceptual site planning, mitigation, and improvements for the preferred access route. The proposed preferred legal access route extends from Po'okela Street through State property owned by the State Departments of Health, Land and Natural Resources, and Transportation.

The Board of Water Supply recommends supporting the Proposed Action of Removal. However, if the Board considers conveyance, the BWS recommends setting a time limit of 1-year to complete the conveyance. If the conveyance is not achieved, then the BWS recommends moving forward with the Proposed Action.

Respectfully submitted,

/s/ Ernest Y. W. Lau, P.E
Manager and Chief Engineer

Attachments"

The foregoing was for information only.

DISCUSSION: Ernest Lau, Manager and Chief Engineer, gave the written report.

Board member Soon asked Mr. Barry Usagawa if the 200 plus acres is necessary for the BWS since the land is outside of our mission, but the watershed is not.

Mr. Usagawa responded by saying the Haiku Stairs parcel is not needed for water source development. In 1958, the BWS acquired the horse-shoe shaped parcel from Bishop Estate for water development purposes. The parcel was subdivided into 2 parcels when the H-3 was built. The Kahuku side of the valley is where BWS sources including the perennial Haiku stream are located. The Haiku Stairs parcel on the other side of the valley has no perennial stream and therefore limited potential for water development.

Board member Soon stated that BWS would have more control over the land if we own it. If BWS has the land transferred than that would give us less control over the lands and watershed.

Mr. Usagawa replied it would also eliminate the BWS liability if the stairs are conveyed.

Manager Ernest Lau added to the discussion that the BWS would be exposed to liability and land management concerns. State Conservation District rules protect watershed lands. BWS does not need to own the land for it to be protected. There are many owners of watershed lands. The BWS position is to protect the watershed.

Vice Chair Kapua Sproat asked Mr. Usagawa if there is information on what direction does the water flow, and would be in the BWS best interest to protect the watershed.

When it rains, the dike compartments fill up with water which overflows to the perennial streams. The perennial streams in Haiku and Luluku valleys exist on the Kahuku side of the valleys.

Board member Jade Butay inquired who is responsible for monitoring the transfer of Ha'iku stairs and making sure the conveyance is satisfied within the year.

Manager Lau shared that the BWS would see the transfer to the end with the City and County of Honolulu. Should the process of transferring not be satisfied within the year, then the BWS will move forward with the proposed action under the Environmental Impact Statement (EIS). With this proposal, there needs to be money in the Capital Improvements Project (CIP) budget to design, obtain permits to remove the stairs, and lastly, the construction for the removal. BWS will keep the Board apprised on the status of the project.

Board member Soon asked Jeffrey Overton, Principal Planner, G70, when does the EIS expire, and would a new assessment need to be done if one year isn't long enough to complete the transfer?

Jeffrey Overton, Principal Planner, G70, replied, that the period of rightness of the EIS has been the subject of recent rules amendments and would have to verify the language. However, 5 years is more than adequate time to complete the terms for the proposed action.

Board member Max Sword inquired how it was decided that the deadline to complete the action would be one year. Could the time to complete be shorter or longer?

Manager Lau answered the one-year timeline was to keep the project moving forward and motivated so that it would not linger and expire. This would result in having to start the process from the beginning.

Board member Sword asked if the one-year is enough time to complete the entire process of conveyance?

Manager Lau responded that once the decision has been voted on by the Board, the responsibility will fall on the receiving party to complete the process. The BWS has provided quite a bit of information and will continue to assist during the process.

Vice Chair Kapua Sproat commented it is essential to keep the process going with any interruptions. Keeping in mind that the Mayor is very interested in having Ha'iku stairs transferred to the City and County of Honolulu. Also, Councilmember Ikaika Anderson was pushing for the one-year completion date. Vice Chair Sproat wanted to mention that the testimonies that she heard this evening from the neighborhood regarding having to endure the trespassers were very impactful for her. She thanked the BWS staff for the time put into the EIS and working with the community. Her thoughts are that the Department of Planning and Permitting (DPP) is best suitable to handle the situation.

Board member Soon agreed with the sentiment. However, a time of transfer needs to be decided. Pushing the time table further is more realistic and more manageable to complete within the time that the Board votes on. If we vote on the transfer, then the transfer process needs to begin immediately.

Vice Chair Sproat posed a question if 18 months is a reasonable timetable?

Board member Soon agreed that 18 months is doable. It allows time for the administration to change and keep the process going to completion.

Board member Soon asked Manager Lau to summarize his thoughts on the BWS position with Ha'iku stairs.

Manager Lau explained that the BWS has been working on this matter since 2013. The BWS mission is to provide safe, dependable, and affordable water service to our community. Ha'iku stairs need to be managed and maintained. It is a recreational site, and people from all over the world come to hike Ha'iku stairs. BWS is not equipped to oversee the recreational activity that occurs there. There are agencies such as the Department of Parks and Recreation (DPR) or Department of Land and Natural Resources (DLNR) that can manage the Ha'iku stairs with their skills. As of right now, the stairs are a liability than an asset to BWS. There is security on site that struggles to keep the trespassers from climbing the stairs. This is not the BWS mission to oversee the managed-access contract. For the last seven years, BWS has approached the City, State, and federal agencies to take over the stairs and property. No one came forward with interest in managing it. From that, we had the EIS done and started to prepare a proposal to have the stairs removed.

Board member Soon clarified two points he has heard. One is that it is not the mission of the BWS. Secondly, the BWS does not maintain or manage the stairs.

Chair Andaya asked how much does it cost the BWS to maintain the current State now, and what account are we using for these funds?

Manager Lau answered that it costs the BWS approximately \$250,000 a year or more to have a special duty officer at Ha'iku stairs. The funds are coming out of rate revenue. The BWS uses the fund in the rate revenue fund, those monies are used for the operation, maintenance, and improvement of the water systems. In this case, the money is used to fund the management of Ha'iku Stairs.

Chair Andaya expressed that setting a timeline when the conveyance should be completed by is a huge factor. It has to be ample enough time taking into consideration of the pandemic and change over in administration. However, putting too much time on the transfer puts more hardship on the neighborhood.

Board member Sword asked what date does the process start to transfer Ha'iku stairs?

Manager Lau commented it would be the decision of the Board. When the decision is made, that's when the date should begin up until the date that is decided.

Chair Andaya confirmed that the date would begin once the Board has made its decision.

Board member Sword suggested the timeline to be 18 months, this is taking into consideration the pandemic, and the administration will change at the end of the year.

Chair Andaya asked Mr. Overton should we transfer Ha`iku stairs, would one access route be better than another access route and not disrupt the neighborhood. Is it a possibility that the access route can be diverted away from the community.

Mr. Usagawa mentioned that Pookela Street is the preferred access route because it is the least impactful. Pookela Street is a 4 lane street, wide enough for parking on both sides. Keaahala St. is along the bus line, and the Anchor Church driveway and trail are on government property. The EIS proposed conceptual design mitigations such as signage and a screening fence between the driveway and access walkway, and screening trees between the homes and the driveway.

Mr. Overton added there is enough parking for up to 100 vehicles on Po'okela. The State controls this access, there is a bus route so hikers could transport to the trail by bus. There are public restrooms at Kane'ohe District Park for hikers to use. These choices are very high on the criteria ranking for the alternative conveyance access.

Manager Lau clarified that the BWS had not finalized any of the access routes. It would be the responsibility of the landowners that the land is transferred too.

Chair Andaya agreed and wanted to confirm that there are alternatives for the hikers to get to the trail, and the neighborhood will not be inconvenienced.

Manager Lau mentioned that Po'okela route is the best alternative route for Ha`iku stairs access.

Chair Andaya confirmed that he was reading a testimony that the City is interested in having the Ha`iku stairs transferred to the City and County of Honolulu.

Board member Soon expressed his appreciation for the BWS recommendation to have the stairs removed. Board member Soon's recommendation is to transfer Ha`iku Stairs to the City and County of Honolulu, in a conditional time frame of 18 months in which to convey the stairs and the land beneath them. Should the transfer not be fulfilled during the time frame, the BWS will proceed with the original proposal to remove the stairs.

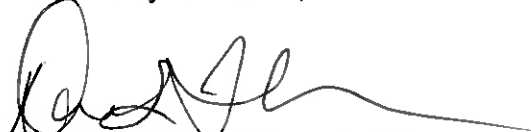
TO CONVEY THE PROPERTY AND LAND ON WHICH HA'IKU STAIRS CURRENTLY SITS, CONVEY THAT TO THE CITY, PROVIDED THAT THE TRANSFER OCCUR WITHIN 18 MONTHS, AT WHICH TIME IF THE TRANSFER IS UNSUCCESSFUL, BWS WILL PROCEED WITH THE DEPARTMENT'S RECOMMENDATION TO REMOVE THE STAIRS, APPROVED ON APRIL 27, 2020 PUBLIC HEARING AND REGULAR SESSION BOARD MEETING

	AYE	NO	COMMENT
BRYAN P. ANDAYA	X		
KAPUA SPROAT	X		
KAY C. MATSUI	X		
RAY C. SOON	X		
MAX J. SWORD	X		
ROSS S. SASAMURA	X		
JADE T. BUTAY	X		

**MOTION TO
ADJOURN**

There being no further business Chair Andaya at 8:45 PM called for a motion to adjourn the Open Session. Board member Max Sword so moved; seconded by Board member Ray Soon and unanimously carried.

The minutes of the Regular Meeting held on April 27, 2020 are respectfully submitted,


DEANNA THYSSEN

THE MINUTES OF THE REGULAR SESSION BOARD MEETING ON APRIL 27, 2020 WERE APPROVED AT THE MAY 26, 2020 BOARD MEETING			
	AYE	NO	COMMENT
BRYAN P. ANDAYA	X		
KAPUA SPROAT	X		
KAY C. MATSUI	X		
RAY C. SOON	X		
MAX J. SWORD	X		
ROSS S. SASAMURA	X		
JADE T. BUTAY	X		

APPROVED:


BRYAN P. ANDAYA
Chair of the Board

MAY 26 2020

Date

1 BOARD OF WATER SUPPLY
2 CITY AND COUNTY OF HONOLULU
3 630 SOUTH BERETANIA STREET
4 HONOLULU, HAWAI'I 96843
5
6
7

8 REGULAR BOARD MEETING
9
10

11 Monday, April 27, 2020
12 commencing at 7:53 p.m.
13
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16
17
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19
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21

22 Reported by: LAURA SAVO, CSR No. 347
23
24
25

A P P E A R A N C E S

BOARD MEMBERS PRESENT IN THE ROOM:

Bryan Andaya, Board Chair

Ray Soon, Board Member

Max Sword, Board Member

BOARD MEMBERS VIA VIDEOCONFERENCE OR TELEPHONE:

Kapua Sproat, Board Vice-Chair

Jade Butay, Board Member, Ex Officio

Kay Matsui, Board Member

Ross Sasamura, Board Member, Ex Officio

STAFF PRESENT IN THE ROOM:

Ernest Lau, Manager and Chief Engineer

Steven Norstrom, Information Specialist

Dymian Racoma, Information Specialist

Nicole Rodwell, Secretary

Deanna "Dee Dee" Thyssen, Board Secretary

STAFF PRESENT VIA VIDEOCONFERENCE OR TELEPHONE:

Ellen Kitamura, Deputy Manager and Chief Engineer

Barry Usagawa, Program Administrator, Water Resources
Division

STAFF PRESENT IN THE LOBBY:

Keoni Mattos, Information Specialist

A P P E A R A N C E S (Cont'd)

LEGAL COUNSEL VIA TELEPHONE:

Jeff Lau, Deputy Corporation Counsel

Moana Yost, Deputy Corporation Counsel

FOR G70 VIA VIDEOCONFERENCE:

Jeffrey Overton, Principal Planner

Rachel Shaak, Senior Planner

Cody Winchester, Planner

---oOo---

I N D E X

PAGE

Introduction/Roll Call

5

Adjournment

44

ACTION ITEMS:

1. Approval of Board Minutes

6

2. Authorizing a Public Hearing to
Consider the Proposed Fiscal Year
2020-2021 Operating and Capital
Improvements Program Budget

9

3. Disposition of Ha'iku Stairs

11

1 HONOLULU, HAWAI'I

2 MONDAY, APRIL 27, 2020

3 7:53 P.M.

4 ---oOo---

5 CHAIR ANDAYA: Welcome back, everyone.

6 Mahalo again for joining us tonight. It is now 7:53
7 p.m. I'd like to call to order the regular meeting
8 of the Board of Water Supply. Again, for purposes of
9 our record-keeping, I want to take a quick roll call
10 one more time of our board members.

11 Vice-Chair Kapua Sproat.

12 (No audible response.)

13 Is she off already? Can somebody check?

14 MS. THYSSEN: I'll text her.

15 CHAIR ANDAYA: Board Member Jade Butay.

16 (No audible response.)

17 Board Member Kay Matsui.

18 MEMBER MATSUI: I'm here.

19 CHAIR ANDAYA: Board Member Ross

20 Sasamura.

21 MEMBER SASAMURA: Here.

22 CHAIR ANDAYA: Board Member Ray Soon.

23 MEMBER SOON: Here.

24 CHAIR ANDAYA: And Board Member Max

25 Sword.

1 MEMBER SWORD: Here.

2 CHAIR ANDAYA: All right. And just as a
3 reminder, we do have a court reporter now, Laura
4 Savo, recording the meeting. Thank you very much for
5 your patience.

6 We have three items on our "Agenda
7 Requires Board Action." And before we start, I'd
8 like to let the board members know that we will be
9 taking additional procedural steps tonight in light
10 of the fact that we have a few board members
11 participating remotely. We will be also taking roll
12 call votes for each of the agenda items. So let's
13 proceed.

14 Item No. 1 on our agenda requires board
15 action for the approval of the minutes of the regular
16 board meeting held on March 23rd, 2020. Do I have a
17 motion to accept the minutes of the March 23rd, 2020,
18 board meeting?

19 MEMBER SWORD: So moved.

20 MEMBER SOON: I second.

21 CHAIR ANDAYA: Okay. It's been moved by
22 Member Sword and seconded by Member Soon to accept
23 the minutes of March 23rd, 2020. Is there any
24 discussion? Hearing none, we will proceed to a roll
25 call vote.

1 Dee Dee, please proceed.

2 MS. THYSSEN: Vice-Chair Kapua Sproat?

3 CHAIR ANDAYA: Maybe we can go back to
4 her?

5 MR. LAU: Maybe come back to her.

6 CHAIR ANDAYA: Yeah. Maybe go to the
7 next.

8 MS. THYSSEN: Board Member Jade Butay.

9 MEMBER BUTAY: Aye.

10 MS. THYSSEN: Board Member Kay Matsui.

11 MEMBER MATSUI: I'm here.

12 MS. THYSSEN: Board Member Ross Sasamura.

13 MEMBER SASAMURA: Aye.

14 MS. THYSSEN: Board Member Ray Soon.

15 MEMBER SOON: Aye.

16 MS. THYSSEN: Board Member Max Sword.

17 MEMBER SWORD: Here. Aye.

18 MS. THYSSEN: Chair Bryan Andaya.

19 CHAIR ANDAYA: Aye.

20 MS. THYSSEN: Vice-Chair Kapua Sproat.

21 MR. LAU: Chair, if I can maybe make a
22 suggestion.

23 CHAIR ANDAYA: Yes.

24 MR. LAU: She seems --

25 MS. THYSSEN: She's signing back into

1 WebEx.

2 MR. LAU: If we could pause for a moment.

3 CHAIR ANDAYA: We'll take a brief recess
4 while we --

5 MR. LAU: We have some technical issues.

6 CHAIR ANDAYA: Sort out some technical
7 issues.

8 (Brief recess taken from 7:57 p.m.
9 until 7:58 p.m.)

10 CHAIR ANDAYA: Sorry. We're back on the
11 record. So is there any further -- we should
12 probably recall -- we should probably do the roll
13 call vote one more time.

14 Is there any further discussion on the
15 motion to accept the minutes of March 23rd, 2020?

16 MEMBER SOON: No.

17 CHAIR ANDAYA: Hearing none, Dee Dee,
18 would you, please, do a roll call vote.

19 MS. THYSSEN: Vice-Chair Kapua Sproat.

20 VICE-CHAIR SPROAT: Aye.

21 MS. THYSSEN: Board Member Jade Butay.

22 MEMBER BUTAY: Present and aye.

23 MS. THYSSEN: Board Member Kay Matsui.

24 MEMBER MATSUI: I'm here.

25 MS. THYSSEN: Board Member Ross Sasamura.

1 MEMBER SASAMURA: Aye.

2 MS. THYSSEN: Board Member Ray Soon.

3 MEMBER SOON: Aye.

4 MS. THYSSEN: Board Member Max Sword.

5 MEMBER SWORD: Aye.

6 MS. THYSSEN: Chair Bryan Andaya.

7 CHAIR ANDAYA: Aye.

8 MS. THYSSEN: Seven for the motion, zero
9 against the motion. Chair, motion passes
10 unanimously.

11 CHAIR ANDAYA: Thank you, Dee Dee.
12 Motion passes. The minutes of March 23rd, 2020, are
13 hereby approved.

14 Mahalo, board members. The next item on
15 our agenda is item No. 2. This item authorizes a
16 public hearing to consider the proposed fiscal year
17 2020 to 2021 operating and capital improvements
18 program budget, CIP budget.

19 Manager Lau.

20 MR. LAU: Thank you, Chair and members,
21 and appreciate your patience on this -- this format.
22 We recommend the board authorize a public hearing to
23 be held at 2:00 o'clock, on Tuesday, May 26, 2020, to
24 consider resolute -- the resolution to adopt the
25 proposed operating and capital improvement program

1 budget for the fiscal year beginning July 1st, 2020,
2 and ending on June 30th, 2021. A budget workshop is
3 tentatively scheduled for May 11th, 2020, at
4 2:00 p.m., and we have attached a draft of the public
5 notice. Thank you, Chair.

6 CHAIR ANDAYA: All right. I'd like to
7 entertain a motion to authorize a public hearing to
8 consider the proposed fiscal year 2020 to 2021
9 operating and capital improvements program budget.

10 MEMBER SOON: So moved.

11 MEMBER SWORD: Second.

12 CHAIR ANDAYA: Okay. It's been moved by
13 Member Soon, seconded by Member Sword to authorize a
14 public hearing to consider the proposed budget for
15 2020 to 2021 Operating and Capital Improvement
16 Program. Is there any discussion?

17 Hearing none, Dee Dee, could you please
18 take the roll call vote?

19 MS. THYSSEN: Vice-Chair Kapua Sproat.

20 VICE-CHAIR SPROAT: Aye.

21 MS. THYSSEN: Board Member Jade Butay.

22 (No audible response.)

23 Board Member Kay Matsui.

24 MEMBER MATSUI: Aye.

25 MS. THYSSEN: Board Member Ross Sasamura.

1 MEMBER SASAMURA: Aye.

2 MS. THYSSEN: Board Member Ray Soon.

3 MEMBER SOON: Aye.

4 MS. THYSSEN: Board Member Max Sword.

5 MEMBER SWORD: Aye.

6 MS. THYSSEN: Chair Bryan Andaya.

7 CHAIR ANDAYA: Aye.

8 MS. THYSSEN: Seven for the motion, zero
9 against the motion. Chair, motion passes
10 unanimously.

11 CHAIR ANDAYA: All right. We are now at
12 item No. 3 on our agenda, and this is the disposition
13 of Ha'iku Stairs.

14 Manager Lau.

15 MR. LAU: Thank you, Chair. We provided
16 a report. Only this time I'd like to ask Mr. Barry
17 Usagawa, the program administrator of our Water
18 Resources Division and also the project manager for
19 the Ha'iku Stairs EIS, to make a short presentation.

20 Go ahead, Barry.

21 MR. USAGAWA: Thank you, Manager Lau,
22 Mr. Chair and members.

23 So the Ha'iku Stairs Final Environmental
24 Impact Statement has been completed and published on
25 January 23rd, 2020. Acceptance by the Department of

1 Planning and Permitting was on January 24th and
2 published in the environmental notice on February
3 8th, and the 60-day legal challenge period ended on
4 April 7th, 2020, and there were no challenges. A
5 public hearing was held today, and now we are seeking
6 a decision by the board on the disposition of the
7 Ha'iku Stairs.

8 The stairs are a potential liability for
9 BWS because hikers continue to illegally climb it,
10 and our objective for the board is to eliminate this
11 liability as continued management and operations of
12 the stairs is not consistent with its mission. And
13 so, accordingly, the proposed action evaluated by the
14 final EIS is to completely remove the Ha'iku Stairs.

15 The final EIS assessed a range of
16 alternatives, impacts and mitigation or eliminating
17 this liability. That includes no action, partial
18 removal of the stairs' modules and conveyance of the
19 land and Ha'iku Stairs to a public or private entity.

20 Now, the conveyance alternative discusses
21 the need and has proposed for a managed access plan,
22 evaluate several access routes from public
23 rights-of-way, and provides for essential site
24 planning, mitigation improvements for the preferred
25 access routes. The preferred access -- legal access

1 route extends from Po'okela Street through the state
2 property owned by the state Department of Health,
3 Land and Natural Resources and Transportation. The
4 Board of Water Supply recommends supporting the
5 proposed action of removal; however, if the board
6 considers conveyance, we recommendation setting a
7 time limit of one year to complete the conveyance,
8 and if the conveyance is not achieved, then the BWS
9 recommends removing -- moving forward with the
10 proposed action, and that is the action before you.
11 Thank you.

12 MR. LAU: Thank you, Chair. If there are
13 any questions, we also have Jeff Overton still on the
14 call here to answer any questions the board might
15 have.

16 CHAIR ANDAYA: Members, any questions?

17 MEMBER SOON: Yeah. Barry, this first
18 question is for you. In the conveyance alternative,
19 we would be conveying 200-plus acres of land. Are
20 those 200-plus acres of land not necessary for the
21 Board of Water Supply? I mean, if we say that
22 managing the Ha'iku Stairs is outside of our mission,
23 which I agree, but managing watershed land is not
24 outside of our mission. So my question is do we need
25 -- do we need those lands?

1 MR. USAGAWA: Thank you for the question.
2 There is no well development plans for that
3 particular parcel. It's parcel 4-6-18, parcel 11.
4 The -- there's no water development potential for
5 that parcel, that 200 acres where the Ha'iku Stairs
6 sits. Our well development sources are on the Kahuku
7 side of the parcel. Back in 1958 when we acquired
8 the parcel from Bishop Estate, it was a horseshoe
9 parcel. It was basically the vertical portion of
10 that valley. The water development potential is on
11 the Kahuku side, and that's where the perennial
12 stream is. That's where Ha'iku tunnel and well is
13 located. When H-3 came in and was built, that big
14 parcel got subdivided in two parcels, and the parcel
15 where the stairs is has no well -- water development
16 potential. There's no perennial stream. So we have
17 no plans to develop any of the sources there.

18 In terms of watershed lands, it is
19 watershed lands, but it's also zoned conservation.
20 So the conservation district rules would still apply
21 to any activities on that parcel, including if the
22 stairs were to be open or even to be -- if we were to
23 take it down, you would still have to get approval by
24 the state land and natural -- Department of Land and
25 Natural Resources.

1 MEMBER SOON: Okay. But, obviously, if
2 we owned the land, we'd have more control over its
3 future use. If we transfer the lands out of our
4 inventory, our control over those lands as watershed
5 lands diminishes slightly; is that fair?

6 MR. USAGAWA: Yes, but so does our
7 liability as well. It's eliminated if the stairs are
8 conveyed.

9 MEMBER SOON: Well, I'm just trying to
10 stay focused on our mission, and our mission being to
11 protect the water resources, including the watershed.

12 MR. LAU: Member Soon, if I can add to
13 maybe the response here. And, Barry, just jump in if
14 you want to.

15 Ownership of land doesn't mean there's a
16 greater protection. Yes, we are the landowner. We
17 also are exposed to liability and land management
18 issues. However, if there was a proposed use, we
19 would also advocate for the use. If it's
20 inconsistent with the designation of the land, in
21 this case conservation land under protected --
22 restricted protected subzone and it's zoned P-1
23 restricted preservation, we would advocate for no
24 real development that could hurt the watershed and
25 the water resources.

1 There are a lot of lands that we don't
2 own; yet, we take a position. So part of it is for
3 protection of watershed resources.

4 VICE-CHAIR SPROAT: Follow up to Board
5 Member Soon's question. This is for Barry.

6 So, Barry, do you have any information
7 on -- based on the hydrology or the hydrogeology of
8 what direction the water flows in? I'm guessing
9 towards Kahuku because that's where the stream is.
10 But I'm just wondering kind of consistent with the
11 same issues in the Waiahole Ditch. And this goes to
12 kind of our interest in longer-term watershed
13 protection of the area.

14 MR. USAGAWA: Yeah. The direction of the
15 water flow, it seems that these two -- this valley
16 and adjacent valleys, the Kahuku side, the water
17 seems to flow and feed perennial streams on the
18 Kahuku side of the valley. So under -- on the other
19 side of the ridge, on the Likelike Highway side, we
20 have a Luluku well. So it seems to flow on the
21 Kahuku side of these two valleys.

22 We would maintain ownership of the Ha'iku
23 lands, parcel 1, where our Ha'iku wells and tunnel
24 are, but we wouldn't be able to develop any water
25 sources on the -- you know, on the Waimanalo side,

1 but we also have Kahuku tunnel on the other side of
2 the valley which does develop water there.

3 So we have all the water resources we
4 need for this area. They're all dike -- confined,
5 dike compartments, and they fill up with rain and
6 they overflow and feed the perennial streams in both
7 valleys. I hope that answers your question.

8 MEMBER LAU: That helps.

9 VICE-CHAIR SPROAT: Yes. Thank you.

10 CHAIR ANDAYA: Members, any further
11 questions for either Jeff or Barry?

12 MEMBER BUTAY: I have a question.

13 CHAIR ANDAYA: Yes.

14 MEMBER BUTAY: Who would be responsible
15 for the -- you know, the Board of Water Supply to
16 make sure the transfer is done within a year if we
17 were to do the conveyance?

18 MR. LAU: If I can answer that question,
19 Chair and Board Member Butay.

20 We would monitor the transaction and work
21 closely with the city. If it isn't carried out, then
22 we would, of course, let you know that the one year
23 has passed and move forward with a proposed action
24 under the EIS.

25 Of course, the proposed action requires

1 that this be approved in the CIP budget, which
2 requires putting money there for the planning and
3 design and permitting for the removal and then also
4 the construction of the demolition of the stairs.
5 And that would be actions that would be coming before
6 the water board for approval. So in a nutshell, we
7 would be monitoring the situation and keeping the
8 board informed.

9 MEMBER BUTAY: Thank you.

10 MEMBER SOON: Question for Jeff on that
11 same issue. How long is the EIS good for? I mean,
12 if it -- if we decided that one year is not enough,
13 then it took longer, how long before we'd have to do
14 a supplemental EIS or a brand new EIS?

15 MR. LAU: Or an update of the current
16 EIS. Jeff?

17 MR. OVERTON: Thank you, Board Member
18 Soon. The time period for rightness of the EIS has
19 been the subject of the more recent rules amendments,
20 and timing of five years, there's -- I would have to
21 check the actual rules on the timetable. I don't
22 know exactly, but five years would be more than
23 adequate in terms of current information that's
24 presented in the EIS. I think if it extended to 10
25 years, somebody may raise a question. And there have

1 been test cases, such as the Turtle Bay EIS that were
2 two decades old and they felt if needed refreshing.

3 MEMBER SWORD: A follow-up question.
4 Then what's magic about the one year to complete the
5 conveyance? Why not six months? Why not 18 months?
6 What is the magic number? Is that a magic number,
7 one year?

8 MR. LAU: Well, just that's a very good
9 question. Until the conveyance is complete or
10 consummated or final, I think we would still be
11 obligated to try to maintain security and try to
12 restrict the trespassing to the degree possible of
13 the stairs. That means a special duty officer in the
14 neighborhood and also a security guard at the bottom
15 of the stairs. So we spend right now probably around
16 at least \$250,000 a year on those costs. So one year
17 would be another cost that we would carry until those
18 stairs is actually transferred, and then the
19 responsibility would rest with the receiver of the
20 property.

21 MEMBER SWORD: So the one year is not a
22 magic --

23 MR. LAU: It's not a magic number. The
24 other reason for this, our recommendation of one
25 year, that it is actually up to the board to decide

1 what are the terms and conditions if the board
2 decides to go forward with the transfer. The idea
3 there was to try to provide some impetus or
4 motivation for the conveyance to move forward in a
5 timely manner.

6 Back in the 2005 time frame where that
7 was first attempted under Mayor Harris,
8 unfortunately, it fell through the process and it
9 languished for many years. If we delay -- my
10 recommendation --

11 Again, this is only my recommendation.

12 -- that if we don't set some kind of
13 reasonable time limit for the conveyance to be
14 accomplished in, that this issue will continue to
15 linger like it has all these years. Almost 20-plus
16 years now.

17 So I think my recommendation would be
18 to -- this is with all the work that was done on this
19 very comprehensive environmental impact statement,
20 which is a disclosure document, not a decision
21 document. It's provided the opportunity for
22 everybody on all sides of the issue to kind of
23 understand many of the fine, major aspects or nuances
24 of the Ha'iku Stairs issue. And I think it's laid
25 the groundwork for a decision to be made to try to

1 timely address the situation out there, either move
2 forward with the proposed action or look at the
3 alternatives, including conveyance to a public or
4 private entity.

5 MEMBER SWORD: No, I agree it's good to
6 set a time, you know, to kind of keep the fire
7 burning under somebody's okole to keep going.

8 MR. LAU: It's motivation.

9 MEMBER SWORD: Yeah, to motivate, but --
10 So my question to Jeff and Barry is I'm
11 not familiar with this type of process. In terms of
12 conveyance, is one year enough, I mean, to cross all
13 the T's, dot the I's on a normal process of
14 conveyance?

15 MR. USAGAWA: I do not know. If we
16 transfer it -- yeah, if we transfer it to the city,
17 you know, they have their own process, and I'm sure
18 there's motivation to act on it. Again, I'm sorry.
19 Jeff or Ernie?

20 MR. LAU: Yeah, I think Board Member
21 Grant (sic), the -- it would depend once the board --
22 if the board makes that decision tonight, then the
23 responsibility, actually, to complete the transaction
24 of conveyance will rest with the receiving entity,
25 which is, in this case, possible transfer to the

1 city.

2 Of course, we would do -- we have
3 provided a lot of information, and we can provide
4 more information to assist them in that process. But
5 after the board's decision, then it really depends on
6 the other party to carry through to make sure it's
7 going to be completed.

8 MEMBER SPROAT: This is Kapua. On that
9 issue, I think what Board Member Sword is saying, I
10 think it's important to keep the fire burning. I
11 think we also need to be mindful of the timetables
12 that we have. The mayor's very interested in taking
13 position. So we should be mindful of his timetable
14 in office and what we have to work with as well as --
15 I don't know if other people are looking at the chat,
16 but Councilmember Anderson did press for action
17 within one year as well. I believe that that is a
18 consideration.

19 But one final thing I'd like to mention
20 is, you know, the testimony from the people in that
21 neighborhood tonight was very impactful for me. I
22 feel for folks who are dealing with trespassers,
23 people climbing through their yards, doing all that
24 kind of stuff. Where I am here on Kauai right now,
25 we deal with that all the time. We have two highly

1 used trails right in our backyard. And, frankly,
2 it's a real pain with the parking, the litter, the
3 trespass. And so I feel like to some degree too, you
4 know, I really mahalo the board staff for the time
5 that you folks have taken both with the EIS and also
6 being really responsive to the community, I feel like
7 as landowners, we also need to be responsible. So to
8 the degree that we are interested in conveying, we
9 should set a reasonable timetable on that to make
10 sure that more action can be taken. And I think that
11 DPP would be better to deal with this situation than
12 we are. So for what it's worth.

13 MEMBER SOON: Chair, I agree with the
14 sentiment. I just think you need a realistic time
15 schedule because I don't think you want to come to
16 the end of it and say, "Well, timeout. We're going
17 to extend it or not?"

18 MEMBER SWORD: That's my point.

19 MEMBER SOON: I think you actually have
20 to have a realistic one that you're not going to walk
21 away from. And, yes, I think this mayor is motivated
22 because his term is almost up, and he'll work real
23 hard. But if it doesn't complete, the next mayor is
24 just coming in and they're just getting started.
25 It's not going to be at the top of their agenda. It

1 is six months. Under that it may not be enough. I
2 think a little bit more time is more realistic,
3 somewhere in the order of a year and a half. And I
4 think when we're sitting around the table in a year
5 and a half and it hasn't been concluded, we better
6 not waffle. We need to be clear on if we transfer
7 it. If we transfer, it will transfer.

8 MEMBER SPROAT: So I have a follow-up
9 question for Board Member Soon. So you think 18
10 months is doable?

11 MEMBER SOON: I think 18 months is more
12 doable than one year, yes. In large part because of
13 the uncertainty of there's going to be a change in
14 administration for sure.

15 MR. LAU: That is a decision of the board
16 on the time frame. Our recommendation is just a
17 year, but it's up to the board to determine what's
18 appropriate.

19 CHAIR ANDAYA: And we would probably be
20 entertaining a motion with a deadline or with a time
21 frame in that motion.

22 MEMBER SOON: Ernest, can you -- maybe a
23 little bit for the record, but just to summarize why
24 is it you believe -- I mean, you've said again and
25 again and again this is not in our mission, the

1 management of the stairs.

2 MR. LAU: If I could --

3 MEMBER SOON: Just summarize and help me
4 understand your position.

5 MR. LAU: Well, we've been at this
6 probably since almost, like, around 2012 or 2013 now.
7 So it's been almost seven years that we've been
8 having to deal with this issue. The Board of Water
9 Supply mission is to provide safe, dependable and
10 affordable water service to our community. We're
11 really not equipped as an organization to manage or
12 operate and oversee a feature that is more of a
13 recreational feature, and the stairs, and we've heard
14 it numerous times tonight, it's a great opportunity
15 for people to hike and, according to the testifiers,
16 safe. But that's not -- we don't have the skill set
17 and experience in overseeing that kind of management
18 job, that recreational activity. There are better
19 agencies equipped to do that where it's closer to
20 their core mission, for example, the Department of
21 Parks and Recreation, the city. There is the state
22 parks' part of the Department of Land and Natural
23 Resources.

24 For us it becomes the stairs is really
25 more of a liability than an asset to us at this

1 point. We have to maintain security, and, yet, we
2 know that it's really hard to keep trespassers out.
3 But we've made some improvements for the benefit of
4 the neighborhood, the immediate neighbors, but it's a
5 real hard effort and we deal with that all the time.

6 So I think it isn't appropriate for BWS
7 to operate or oversee a managed-access contract.
8 Perhaps another entity would be better equipped. And
9 we've attempted to do that from almost day one. In
10 the last seven years, approached numerous city, state
11 and even federal agencies about taking over the
12 stairs and the property, and nobody's come to the
13 table. That's why we decided to move forward with
14 this environmental impact statement with the proposed
15 action for the removal to lay the groundwork to try
16 to deal with this issue and not try to delay it for
17 another decade or more and let parties on all sides
18 of the issue just be left hanging or suffering the
19 consequences of trespassing in their neighborhoods.
20 So that's where we're coming from, Board Member Soon.

21 MEMBER SOON: So there are two basic
22 points you made. One is that it's not in our
23 mission.

24 MR. LAU: No, it isn't.

25 MEMBER SOON: And, second, that we don't

1 have the particular skill sets --

2 MR. LAU: We don't.

3 MEMBER SOON: -- for the management of
4 the stairs. Okay.

5 CHAIR ANDAYA: Manager Lau, to follow up
6 on those questions, approximately how much does it --
7 is it costing our agency to have it in the current
8 state as it is right now?

9 MR. LAU: At least \$250,000 a year. It
10 actually might be a little higher with the special
11 duty officer cost.

12 CHAIR ANDAYA: I see. And where do we --
13 where do those funds come from?

14 MR. LAU: They come out of rate revenue.

15 CHAIR ANDAYA: Our ratepayers?

16 MR. LAU: So, basically, a reminder, and
17 I know the board, you understand this fully, but for
18 the public that's viewing this meeting, the Board of
19 Water Supply does not use property tax or general
20 excise tax revenue to operate and maintain the
21 island's water systems for our community of almost a
22 million people. It is the people paying their water
23 bills, what we call rate revenue from people paying
24 their water bills, that basically pays for the
25 operation, the maintenance and the improvement of the

1 water systems of the Board of Water Supply. So this
2 type of activity and the need to spend money to try
3 to reduce the amount of trespassing takes away from
4 our core mission of improving the water system and
5 operating it.

6 CHAIR ANDAYA: Thank you. So I guess
7 with this issue in terms of, you know, setting a time
8 frame, I guess there is no magic number here. There
9 is no magic time period. I think it's, No. 1, we
10 have to be mindful of the process, especially with
11 the pandemic and how it's kind of reshuffled
12 priorities perhaps, that we cannot make it too short
13 where, you know, we're not able to complete if we end
14 up deciding to convey. And we cannot make it too
15 long because, as Vice-Chair Sproat and I certainly
16 feel, the neighbors that did testify tonight and what
17 they're going through, it wouldn't be fair to them to
18 drag it out for too long. So there is no magic
19 number. So --

20 MEMBER SWORD: So my last question on the
21 magic number is when does the clock start?

22 MR. LAU: It would be the call of the
23 board here.

24 THE REPORTER: I'm sorry?

25 MEMBER SWORD: When will the clock start?

1 MR. LAU: It would be the decision of the
2 board, from the moment you make a decision, whatever
3 that decision might be. That would be, in my mind,
4 when the clock actually starts that we have to follow
5 through with the implementation of the decision of
6 the board.

7 MEMBER SWORD: So if we make a decision
8 tonight to convey, then the clock starts today?

9 MR. LAU: I would use that day. Whatever
10 time plus today.

11 MEMBER SWORD: No, that's what I'm
12 saying. Whatever time is stated today --

13 CHAIR ANDAYA: That would make sense to
14 start it, you know, as soon as we make a decision.

15 MEMBER SWORD: So the year and a half, I
16 think, would make sense because, as you mentioned,
17 what we're going through now with all the pandemic
18 issue which is probably going to take another couple
19 months to finish anyway.

20 MR. LAU: And the current mayor's term
21 runs out at the end of the year and the new mayor to
22 start taking office --

23 THE REPORTER: I'm sorry. You've got to
24 speak up.

25 MR. LAU: The mayor's term ends, and the

1 new mayor's term will start beginning of December of
2 this year.

3 MEMBER SOON: Are we ready?

4 CHAIR ANDAYA: I actually --

5 MEMBER SOON: More questions?

6 CHAIR ANDAYA: Yeah, I do actually have
7 another question for Jeff. I'd like to pivot, you
8 know, from that time issue, year and a half.
9 Definitely what we don't want to happen is to go for
10 a year and a half and, you know, it's -- we're in the
11 same -- same position we are today and we have a
12 neighborhood, you know, just greatly beyond
13 inconvenienced.

14 So my question for Jeff is with respect
15 to that access, if we do convey, I'm looking at
16 PowerPoint -- your PowerPoint presentation here
17 regarding potential access routes. And I don't want
18 to get into, you know, whether this access route is
19 better than that access route, but all I want to
20 know, if I'm reading this right, there is
21 potentially -- potentially access that can be
22 dedicated that would not go through the neighborhood,
23 that would traverse completely outside of the
24 neighborhood and would stay out of the neighborhood?
25 That's a possibility?

1 MR. OVERTON: So I'm going to ask Barry
2 maybe to respond to this question. I can help back
3 up Barry if there's a further question.

4 MR. USAGAWA: The preferred access route
5 is Po'okela Street. It does skirt the subdivision
6 there, but it is certainly not as impactful as the
7 Kuneki or Ha'iku Road or any of the other routes. So
8 it starts from a public right-of-way on Po'okela
9 Street owned by the state in that stretch between the
10 big homes, the Po'okela Street from Keaahala to the
11 first homes. By the way, Castle Hills is a private
12 roadway, and then it goes up the -- the Anchor Church
13 driveway, which is state owned by the Department of
14 Health and DLNR.

15 So, yeah, it would -- this is the least
16 impactful, but we did also design conceptual
17 mitigations such as a screen fence for a walkway. So
18 the fence would be between the trail and the homes
19 and some screening trees along the driveway access,
20 signage. And Po'okela Street is a wide enough
21 roadway. It's a four-lane. So they have a lot of
22 street parking. Keaahala is on the bus routes. So
23 access is actually easier. It's flatter than the
24 others.

25 So we wouldn't -- so we feel that we came

1 up with sufficient mitigation that if it were to be
2 constructed as such, that it would minimize the
3 impact to the residents there.

4 Jeff, you want to add anything to that?

5 MR. OVERTON: Thank you, Barry. The
6 point that you raise here about the infrastructure,
7 it doesn't exist elsewhere in the valley here in
8 terms of parking for upwards of 100 vehicles on
9 Po'okela. With the numbers that are intended for the
10 managed access hiking, I don't think we'd ever get to
11 100 cars, but you do have space for it. It's a very
12 wide right-of-way on there. State controls it, as
13 you said. You've got a chance to use the restroom at
14 Kane'ohe District Park. A bus -- we could have, you
15 know, folks coming in via bus. So you would not have
16 a parking need. And then there's already an
17 established roadway that's on state land that we
18 would conduct this access, and I would say as many as
19 four or five homes at most that would have some
20 proximity. And as you mentioned, we would have a
21 fence and planting to shield the view around this
22 route if it was selected. So of all the choices,
23 this came out highest in the criteria rating --
24 ranking for the conveyance alternative access.

25 CHAIR ANDAYA: Okay. Thank you.

1 MR. OVERTON: We do have some follow-up
2 slides. I don't know if you wanted more detail on
3 that. There's some backup slides in this
4 presentation if you wanted to see those.

5 CHAIR ANDAYA: No. I think that's good.
6 I think we're satisfied. I just wanted to make sure
7 that there was a viable or several viable access
8 routes without further impacting the neighborhood.

9 MR. LAU: Chair, I just want to make sure
10 it's clear that we did not pursue finalizing these
11 access routes. It would be the onus on the receiver
12 of the property --

13 CHAIR ANDAYA: That's correct.

14 MR. LAU: -- to pursue the final
15 arrangements with the landowners.

16 CHAIR ANDAYA: That's correct. I just
17 want to make sure that there's a viable alternative
18 because if there's not, then we're just kicking the
19 can down the road.

20 MR. LAU: In our analysis, the Po'okela
21 route, of all the routes looked at, this looks like
22 the most viable.

23 CHAIR ANDAYA: Okay.

24 MEMBER SOON: Can I just point out that
25 more than half the -- the people who wanted to tear

1 down the stairs are from Castle Hills subdivision.
2 So there was a lot of testimony.

3 MR. LAU: Actually, they're from the
4 Ha'iku Village, Kuneki Street/Puoni Place. But
5 there's Castle Hills on the electronic submittals.

6 MEMBER SOON: Yes. That's what I said,
7 the electronic submittals.

8 MR. LAU: But tonight's testimony is from
9 the other side.

10 CHAIR ANDAYA: Okay. And I do want to
11 reconfirm, and I'm looking at testimony here from the
12 city, that they are interested in taking on the
13 project. So I just wanted to confirm that for the --
14 for the record.

15 Okay. Any further discussion, members?
16 Could I entertain a --

17 MEMBER SOON: Sure. I appreciate that
18 the department's recommendation was to remove the
19 stairs, and that was the preferred action and
20 continue to be the recommendation --

21 THE REPORTER: I'm sorry. Can you --

22 MEMBER SOON: I've got to talk to him.
23 Okay. I'll move back here.

24 I appreciate the recommendation of the
25 department is to remove the stairs. But for many

1 reasons, I don't even believe that decision should
2 be -- should rest with us. I think it should rest
3 with people who are already elected to make policy
4 decisions, but that's somewhat beside the point. We
5 do have the stairs in our portfolio. And so my
6 recommended -- my motion is that we transfer --
7 convey the stairs and the lands beneath them to the
8 City and County of Honolulu and have a conditional
9 time frame to culminate that transfer of 18 months,
10 after which if the transfer has not been completed,
11 we will proceed with the original proposal.

12 THE REPORTER: You will proceed with --

13 MEMBER SOON: The original proposal.

14 MEMBER SWORD: So state the motion again,
15 Ray. Sorry.

16 MEMBER SOON: To convey the stairs and
17 the land beneath them --

18 MEMBER SWORD: Yes.

19 MEMBER SOON: -- to the City and County
20 of Honolulu, and to -- and to have 18 months to
21 culminate the conveyance. And if not, then we would
22 proceed. If, at the end of 18 months, it hasn't been
23 concluded, we would proceed with the original
24 proposal which was to take out the stairs.

25 MEMBER SWORD: Do you need a second?

1 CHAIR ANDAYA: Yes. Yes, we need a
2 second.

3 MEMBER SWORD: I'll take the second.

4 CHAIR ANDAYA: Okay. Members, we have a
5 motion on the floor. It was a motion by Member Soon
6 to convey the property and land on which Ha'iku
7 Stairs currently sits, convey that to the city,
8 provided that the transfer occur within 18 months, at
9 which time if the transfer is unsuccessful, we will
10 proceed with the department's recommendation to
11 remove the stairs. And it's been seconded by Member
12 Sword.

13 I know we've had some discussion. Is
14 there more discussion?

15 MEMBER SWORD: Yeah. I'll just make a
16 brief thing.

17 CHAIR ANDAYA: Sure.

18 MEMBER SWORD: I support the motion
19 primarily on the conveyance part of it because if we
20 were to tear down the stairs, we're still saddled
21 with the liability because we've heard numerous
22 testimony of people coming up from Moanalua Valley
23 all the way up to the pinnacle. So if we do tear it
24 down, we're still stuck. Okay? So I think giving it
25 the opportunity to be conveyed out from under us to

1 where it goes to the parks and recs, then we've
2 eliminated the liability. But I hope that your
3 question on accessibility that's not through the
4 neighborhood will be part of the covenant or
5 whatever, you know, whoever is handling that. So --

6 MEMBER SOON: Okay. Can I just say I
7 specifically did not mention a department --

8 MEMBER SWORD: No, no.

9 MEMBER SOON: Because I figured that
10 that's the kuleana of the cit- --

11 MEMBER SWORD: I understand, but that's
12 what came out of the city.

13 MEMBER SOON: Yeah.

14 MEMBER SWORD: I'm just referring to what
15 the city states.

16 MEMBER SOON: And if they decide that.

17 MEMBER SWORD: It's more than liability
18 that I'm looking at. Since, you know, the department
19 is -- doesn't want to assume the liability, I think
20 that's one way to eliminate the liability from under
21 us, and that's why I support the motion.

22 MEMBER SOON: Thank you. I also didn't
23 want to dictate an access alternative. Even identify
24 a preferred. I think your point is well taken that
25 we need to be sure there are viable alternatives, but

1 other than that, if we're saying this is not our
2 kuleana and we don't have the skill sets, then it
3 should rest with them.

4 MEMBER SWORD: Yeah, and I think that's
5 what Ernie also mentioned.

6 MEMBER SOON: Thank you.

7 CHAIR ANDAYA: Okay. Members who are
8 joining us remotely, I know it's not as easy to jump
9 in when you're participating remotely. I definitely
10 want to provide an opportunity to hear from any of
11 you or all of you, any feedback, if you have.

12 Okay. Well, hearing none, this is
13 certainly a significant and difficult decision where
14 we're having to balance competing interests like
15 anything else in government. And I do -- I did
16 neglect to update you folks on the status of our --
17 the testifiers that have testified on this issue. So
18 tonight we received 95 written testimony via email
19 and otherwise in support of keeping Ha'iku Stairs.
20 Another 28 that testified either through
21 videoconference or by telephone also in favor of
22 keeping Ha'iku Stairs. And so the total testimony
23 that we received thus far, and these are not firm
24 numbers because I'm pretty sure we're going to
25 receive some testimony probably even as we speak or

1 even later, the total I have in favor of keeping
2 Ha'iku Stairs is 3,639.

3 Now, tonight we did hear from many
4 residents in the neighborhood, very emphatic. 29
5 urging us to remove Ha'iku Stairs. Another 9 by
6 telephone or videoconference also removing -- voting
7 to or urging us to remove Ha'iku Stairs along with
8 142 that we received prior to today. That's a total
9 of 180 testifiers for the removal of Ha'iku Stairs.

10 So the numbers notwithstanding, certainly
11 what we heard tonight from the neighborhood, people
12 in the neighborhood that are adversely affected is
13 loud and clear, and there needs to be an end point in
14 this saga. And I'm glad that we're entertaining a
15 motion with that end point, which I know might seem
16 very far away, but it is an end point. And that we
17 have a viable -- there are, from what I understand,
18 viable alternatives in terms of access as well as the
19 City and County of Honolulu that has expressed, you
20 know, interest in this project. And so with
21 everything considered, I am in support of the motion
22 as well.

23 VICE-CHAIR SPROAT: Chair, can I add
24 something before we proceed?

25 CHAIR ANDAYA: Absolutely.

1 VICE-CHAIR SPROAT: Mahalo for sharing
2 those statistics. I think it was -- I really want to
3 mahalo all the people who took time to submit their
4 testimony, who came down to our Beretania
5 headquarters and for all of those who waited online
6 for the phone to be able to testify. And I also
7 really want to mahalo our staff who went through
8 tremendous hurdles tonight. I think, you know, when
9 we were first talking about having a meaningful
10 public hearing given the importance of this issue,
11 and, again, it's so many people, I was concerned
12 about our ability to be able to do that in a
13 meaningful way, and I think we were able to
14 accomplish that. And I really want to mahalo the
15 staff for making that possible for coming in for, you
16 know, being upstairs and downstairs and on the phone
17 and everything as well as all of the people who
18 helped throughout this EIS process.

19 So -- and I also want to thank the board.
20 It's been very helpful to be able to talk through
21 these issues together and come to a resolution. So
22 mahalo to everyone.

23 CHAIR ANDAYA: Thank you, Vice Chair
24 Sproat.

25 MEMBER SOON: Can I just add to that?

1 I've been impressed that our staff has been so
2 efficient and hard working. We have not missed a
3 single meeting during this pandemic, and that's been
4 difficult for them. But we haven't missed any
5 meetings, and the public has had their opportunity to
6 speak. And thank you.

7 MR. LAU: Chair, if I may just
8 acknowledge the team effort. A lot of hard work here
9 from everybody. So mahalo.

10 CHAIR ANDAYA: And we've practiced all
11 the best practices of social distancing, no more than
12 10 in a room, 6 feet from each other and everything
13 else.

14 MEMBER SOON: So, Mr. Chair, I call for
15 the question.

16 CHAIR ANDAYA: Okay. If there is no
17 further discussion, I will turn it over to Dee Dee to
18 do a roll call vote.

19 MS. THYSSEN: Vice-Chair Kapua Sproat.

20 VICE-CHAIR SPROAT: Aye.

21 MS. THYSSEN: Board Member Jade Butay.

22 MEMBER BUTAY: Aye.

23 MS. THYSSEN: Board Member Kay Matsui.

24 (No audible response.)

25 Board Member Ross Sasamura.

1 MEMBER SASAMURA: (Indiscernible.)

2 MR. LAU: Ross, can you confirm if that
3 was an aye or nay?

4 MEMBER SASAMURA: Aye. Yes.

5 MS. THYSSEN: Board Member Ray Soon.

6 MEMBER SOON: Aye.

7 MS. THYSSEN: Board Member Max Sword.

8 MEMBER SWORD: Aye.

9 MS. THYSSEN: Chair Bryan Andaya.

10 CHAIR ANDAYA: Aye.

11 MS. THYSSEN: Board Member Kay Matsui.

12 MEMBER MATSUI: Aye.

13 MS. THYSSEN: Eleven for the motion, zero
14 against the motion. Chair, motion passes. Oh, I'm
15 sorry.

16 MR. LAU: Seven.

17 MS. THYSSEN: Seven. Seven. Seven for
18 the motion, zero against the motion. Chair, motion
19 passes.

20 CHAIR ANDAYA: Thank you very much.
21 Motion passes. Mahalo, Dee Dee, and mahalo, board
22 members, and a big mahalo to all the community
23 members that took the time to testify tonight. You
24 are all an important part of this process.

25 Finally, mahalo nui loa to the ladies and

1 gentlemen of the Honolulu Board of Water Supply who
2 are on the front lines every day during this pandemic
3 ensuring safe, dependable and affordable water to all
4 of us here on Oahu, not just for today but for
5 generations to come. I'm proud of Manager Lau, his
6 leadership team and all of you for being able to
7 adapt and rise to the occasion during this pandemic.
8 This allows us to take up this very important issue
9 and ensure that as many people as possible could
10 participate in a meaningful fashion while keeping
11 each other safe from the virus. Best wishes to all
12 of you. Malama pono.

13 This concludes the meeting of the Board
14 of Water Supply. May I have a motion to adjourn?

15 MEMBER SWORD: So moved.

16 MEMBER SOON: Seconded.

17 CHAIR ANDAYA: It's been moved and
18 second, moved by Member Sword and seconded by Member
19 Soon, to adjourn the meeting. All those in favor,
20 say aye.

21 MEMBER SWORD: Aye.

22 MEMBER SOON: Aye.

23 MEMBER MATSUI: Aye.

24 MEMBER SASAMURA: Aye.

25 CHAIR ANDAYA: Any nays?

1 Okay. Hearing none. The meeting is
2 adjourned.

3 (Whereupon, the meeting adjourned
4 at 8:47 p.m.)
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C E R T I F I C A T E

STATE OF HAWAI'I)
) ss.
CITY AND COUNTY OF HONOLULU)

I, LAURA SAVO, a Certified Shorthand
Reporter in and for the State of Hawaii, do hereby
certify:

That the foregoing proceedings were taken
down by me in machine shorthand at the time and place
herein stated, and was thereafter reduced to
typewriting under my supervision;

That the foregoing is a full, true
and correct transcript of said proceedings;

I further certify that I am not of counsel
or attorney for any of the parties to this case, nor
in any way interested in the outcome hereof, and that
I am not related to any of the parties hereto.

Dated this 11th day of May 2020 in
Honolulu, Hawaii.

s/s Laura Savo
LAURA SAVO, RPR, CSR NO. 347