

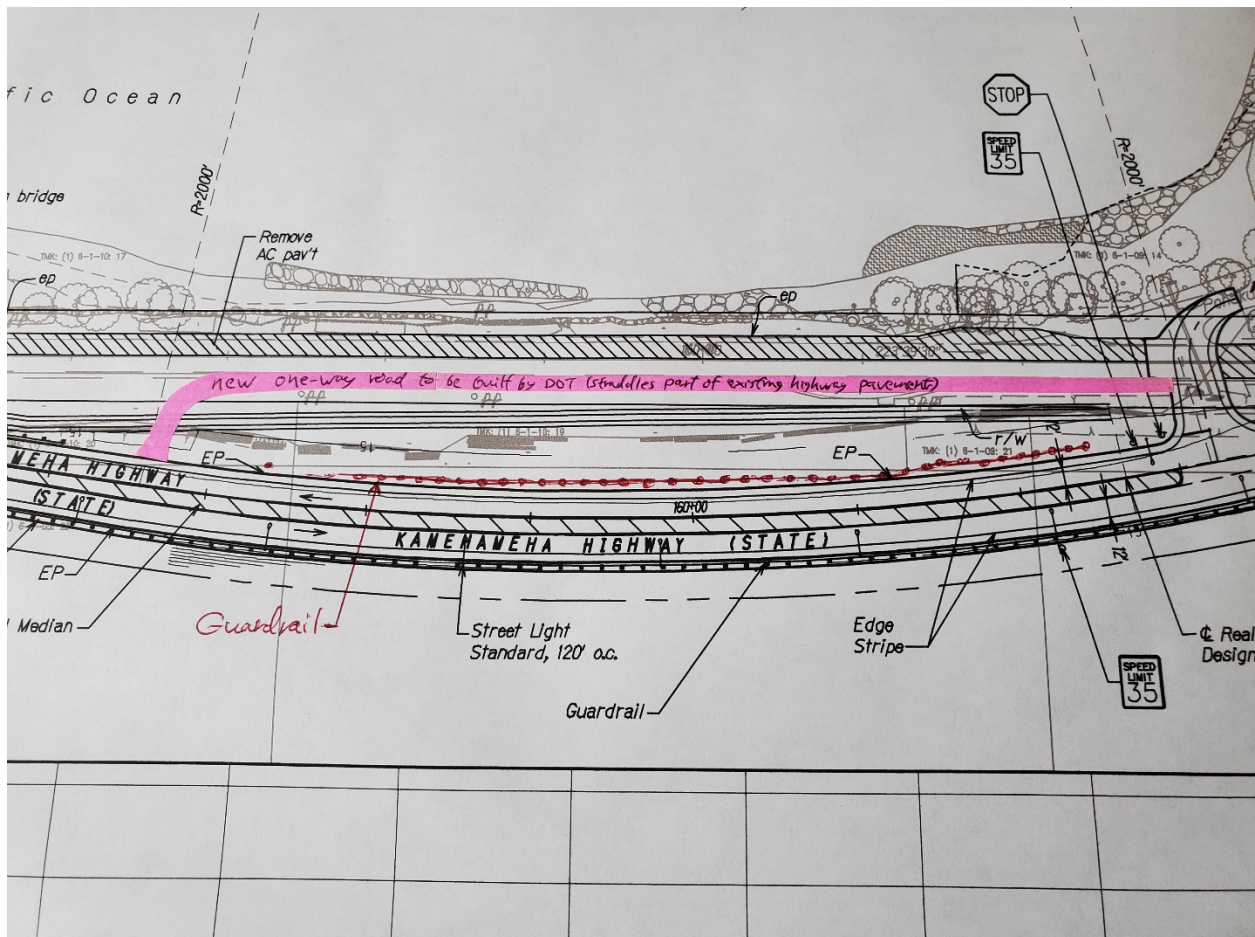
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March 14, 2025 testimony to Board of Land and Natural Resources (BLNR) on Agenda Item K-2 CDUA OA-3950 Realignment of Kamehameha Highway at Laniakea Beach, Oahu electronic copy emailed to: blnr.testimony@hawaii.gov .

Public parking makai of the realigned highway is necessary for adequate public access to Laniakea Beach. Proper management of highway access to public parking is necessary to maintain highway capacity and public safety. As conditions for approval of CDUA OA-3950, to ensure that the public can legally park, there is adequate space for public parking, and highway access is properly managed, I request that the BLNR require that the DOT:

- (1) Place signs which authorize public parking between the realigned highway and the existing highway;
- (2) Restrict direct vehicular access between the realigned highway and public parking; and
- (3) Modify the existing mauka lane of highway pavement for shared use as a bikeway and parking access road. (A one-way parking access road shown below would cost the least. A two-way access road ending in a turnaround area would require pavement widening.)



WHY SIGNS ARE NEEDED TO AUTHORIZE PARKING

The DOT would like to expand the State highway right-of-way (ROW) to include all property between the existing highway ROW and the realigned highway. However, CDUA OA-3950 does not propose, and the DOT will not voluntarily place, signs to authorize public parking makai of the realigned highway. Except where DOT signs permit public parking, State law authorizes \$235 parking citations in the highway ROW. DOT inaction does not make it legal to park in the highway ROW. Unless there are signs which authorize parking, literally anyone can ask HPD to issue citation to vehicles parked in the highway ROW.

***§264-6 State highway not to be disturbed without permit.** No person ... shall ... do any of the following acts without a written permit from the director of transportation or the director's authorized representative: ...*

(2) Place ... or store any ... motor or other vehicle ... wholly or partially within the right-of-way of any state highway....

***§291C-111 Noncompliance with stopping, standing, or parking requirements.** ...*

(c) Any person committing a violation of any law prohibiting or restricting the ... parking of vehicles on state highways shall be charged, in addition to any other applicable penalties and fines, a state highway enforcement program surcharge of \$200 to be enforced and collected by the district courts....

WHY DIRECT VEHICLE ACCESS SHOULD BE RESTRICTED BETWEEN THE REALIGNED HIGHWAY AND PUBLIC PARKING

There will be a narrow strip of property between the existing highway ROW and the realigned highway. Neither CDUA OA-3950 nor DOT plans properly manage vehicle access between the realigned highway and this narrow strip of property. CDUA OA-3950 would allow left and right turns from, left and right turns onto, and vehicles backing onto almost 200 yards of the realigned highway. After realignment, both eastbound and westbound through-traffic will get stuck in traffic queues when drivers slow to look for a place to park makai of the realigned highway. And random conflicting turning movements would jeopardize public safety. Although realignment plans include a deceleration lane for left-turn access to Pohaku Loa Way, a one-car-wide left-turn lane will not extend the entire distance where eastbound drivers may slow to look for a place to park, or wait for a gap in westbound traffic, before turning left to park makai of the realigned highway.

Highway realignment plans do not include but have space for a median barrier. If there were a median barrier, eastbound drivers would be unable to turn left to park makai of the highway. Eastbound drivers who wanted to park would drive past Laniakea, make some combination of legal or illegal turns, drive westbound back to Laniakea, then turn right to park. This would improve highway traffic queues on the eastbound approach to Laniakea but worsen eastbound highway traffic queues at downstream bottlenecks. Rerouted eastbound drivers who wanted to

park would increase the number of westbound right turns for parking at Laniakea. Hence, if there were a median barrier, more westbound drivers would slow to look for a place to park and many more westbound drivers would get stuck in traffic queues.

WHY THE EXISTING MAUKA LANE OF HIGHWAY PAVEMENT SHOULD BE MODIFIED FOR SHARED USE AS A BIKEWAY AND PARKING ACCESS ROAD

After highway realignment, CDUA OA-3950 would allow bicycles, but **not** motor vehicles, to use the existing mauka lane of highway pavement. To allow (or at least not block) vehicle access to the long, narrow strip of property between the existing highway pavement and the realigned highway, CDUA OA-3950 and DOT highway realignment plans allow direct, unmanaged vehicle access along the makai side of almost 200 yards of the realigned highway.

The DOT has determined there would be space for a row of 50 parking stalls between the existing highway pavement and the realigned highway. However, the DOT has not determined if there would be space for a row of 50 parking stalls and a new parking access road. Even if there were space, the DOT is unwilling to spend highway funds to construct either 50 parking stalls or a long new parking access road. On the other hand, modifying the existing mauka lane of highway pavement for shared use as a bikeway and parking access road would:

- be relatively inexpensive,
- maximize the space available for public parking and park amenities makai of the realigned highway,
- manage ingress and egress to public parking,
- manage highway access, and
- avoid traffic congestion and safety concerns that would result from direct vehicle access between the realigned highway and public parking.

Condition E of Council Resolution 23-90, which authorized a Special Management Area Use Permit and Shoreline Variance for highway realignment, requires:

The Applicant shall plan and design a parking lot that includes parking for a minimum of 50 vehicles and managed ingress and egress ... on the makai side of Kamehameha Highway in the expanded shoreline area that will be created by relocating the highway further mauka to improve recreational access, traffic along the highway, and pedestrian safety....

Modifying the existing mauka lane of highway pavement to provide managed ingress and egress to the long, narrow strip of property makai of the realigned highway would fully comply with Condition E of Resolution 23-90. Direct unmanaged vehicle access between the realigned highway and the long, narrow strip of property makai of the highway would **not** comply with Condition E.

THE FORMER LANIAKEA BEACH PARKING LOT



The former Laniakea Beach parking lot shown in this 5/7/23 aerial drone picture accommodated about 50 parked vehicles. Drivers used an unmarked, unpaved parking access road to exit and enter the highway. The parking access road allowed direct access to unmarked, unpaved parking spaces. Direct vehicle access was not allowed between the highway and parking spaces. Unpredictable conflicting highway turning movements were minimized. Highway through-traffic was not delayed by drivers slowing to look for a space to park. Vehicles using the parking access road did not queue back and obstruct highway through-traffic. Vehicles exiting the parking lot were not allowed to back onto the highway.

None of the parked cars in this picture are within the existing highway ROW. The mauka row of parked cars in the picture are on City property mauka of the 1/18/23 certified shoreline. The makai row of parked cars in the picture are on DLNR property makai of the certified shoreline. The unmarked, unpaved parking access road straddles the certified shoreline. As of 2025, to allow highway realignment, parking is no longer allowed mauka of the parking access road

During the 1990s the City used eminent domain to acquire about 3 acres mauka of the highway to accommodate public parking and a comfort station. The City obtained possession/control of the site of the proposed park site by a court order in August 1999. At that time it was assumed that the shoreline was makai of the highway and that the mauka boundary of the highway ROW was the makai boundary of City property. About two decades later the shoreline was certified mauka of the highway ROW. This relocated the makai boundary of City property and resulted in a strip of State property under DLNR jurisdiction sandwiched between the existing highway ROW and the certified shoreline.

Frank O. Hay
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March 11, 2025

The Honorable Members of the Board of Land and Natural Resources
Dawn N. S. Chang, Chair
Kalanimoku Building
1151 Punchbowl Street
Honolulu, Oahu, Hawaii 96813

BY EMAIL ONLY

MEETING IN HONOLULU on March 14, 2025, at 9.00 am: Agenda Item K-2

TESTIMONY IN STRONG SUPPORT of the Conservation District Use Application OA-3950,
Relating to the Realignment of Kamehameha Highway at Laniakea, Kawailoa, Oahu

Aloha,

I have been a resident of Hawaii for more than sixty years, and my family has had a beach house at Laniakea since 1966. We are one of the very few families left from that era, and we may be one of the few along that beach that is not a vacation rental.

When my parents first bought the beach house, there was only a very little traffic. Over the years, it has increased perhaps a hundred fold. On most weekends, there is a constant "parade" in both directions. Many choose to stop at Laniakea. There is a field on the mauka side of the highway, leaving visitors to make their way across the highway in heavy traffic.

There are no bathroom facilities, leaving no option but to deposit both liquid and solid waste together with toilet paper along the neighbors' fences and gates or in the bushes. We hope that before long a comfort station might be installed.

I strongly support the CDUA's Preferred Alternative and ask your recommendation to plan and install a comfort station as soon as may be practical.

Thank you for the opportunity to testify on this important matter to the North Shore community.

Very truly yours,

