



RESOLUTION

URGING THE CITY ADMINISTRATION TO REMOVE THE HAIKU STAIRS AND ITS ACCESSORY STRUCTURES TO STOP TRESPASSING, REDUCE DISTURBANCES TO LOCAL NEIGHBORHOODS, INCREASE PUBLIC SAFETY, REMOVE POTENTIAL LIABILITY TO THE CITY, AND PROTECT THE ENVIRONMENT.

WHEREAS, the Haiku Stairs (the "stairs") is a steel structure consisting of 3,922 steps and accessory structures that extend from an elevation of 400 feet in Haiku Valley to an elevation of 2,820 feet on the ridgeline of the Koolau Mountains; and

WHEREAS, the properties on which the stairs sit are protected watershed lands owned by the City and the State Department of Hawaiian Home Lands; and

WHEREAS, the U.S. Navy built the stairs in the 1940s to access communications facilities on the ridgeline, and the U.S. Coast Guard ("USCG") operated its Omega worldwide communications facility at the stairs site from 1975 until 1997; and

WHEREAS, the USCG initially allowed public access to the stairs with a sign-in sheet and waiver system but restricted public access in 1987 due to vandalism and liability concerns; and

WHEREAS, the USCG decommissioned its facilities in 1997 and relinquished its easement rights to the Board of Water Supply ("BWS") in 1999, and the BWS began to negotiate with the City Administration to transfer the property to the Department of Parks and Recreation ("DPR") as the site was not needed for water source development; and

WHEREAS, from Fiscal Year 1999 to Fiscal Year 2003, a total of \$2,790,000 was budgeted in the City's Executive Capital Budgets for the Haiku Valley Nature Preserve (Haiku Stairs) project, of which at least a portion of these moneys were appropriated to construct improvements to the stairs; and

WHEREAS, in 2001, the City refurbished damaged portions of the stairs and worked on securing legal access, with the intent of reopening the stairs for public recreational use; and

WHEREAS, in response to a growing number of hikers trespassing on both its lands and surrounding privately-owned properties in order to access the base of the stairs, the BWS in 2008 closed the trail leading to the stairs and hired security guards to deter trespassers, but illegal hiking on the stairs continued and created serious conflicts with the neighboring community and potential liability for the BWS; and



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WHEREAS, trespassing increased with the coming of social media, which enabled the posting of illegal directions to the stairs and the sharing of panoramic pictures that have encouraged people from around the world to take the hike; and

WHEREAS, special duty Honolulu Police Department ("HPD") officers positioned in surrounding neighborhoods and hired by the BWS recorded turning away a total of 3,610 vehicles and 11,427 individuals between August 2017 and March 2020, which figure does not include individuals attempting to hike from Moanalua Valley or illegally access the stairs from other locations in Windward Oahu; and

WHEREAS, for Fiscal Year 2022, the City Administration has allocated \$250,000 for the continued security of the stairs provided by HPD special duty officers; and

WHEREAS, as a legal public access to the base of the stairs does not exist, hikers starting in Haiku Valley must illegally cross a combination of State- and privately-owned residential properties to connect to the illegal access trails; and

WHEREAS, residents of Haiku Valley have reported the following continuing problems with trespassing hikers:

1. Nightly disturbances, including slamming car doors and loud voices that cause neighborhood dogs to bark, from hikers arriving between 2 a.m. and 4 a.m. to climb the stairs to watch the sunrise;
2. The presence of strangers and their cars creating safety concerns for young children;
3. Hikers' parked cars blocking private driveways and hindering the ability of emergency vehicles to pass through narrow streets;
4. Hikers walking through private property at all hours and using private water hoses to wash themselves or for drinking water, often without turning those hoses off;
5. Hikers throwing trash and waste onto private property, disrespecting or threatening property owners, and vandalizing or damaging private property; and
6. Hikers relieving themselves in the street, against private rock walls or in other private areas; and



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WHEREAS, illegal hiking in Haiku Valley increased the number of service calls to the HPD concerning the stairs from 20 in 2011 to approximately 160 in 2017, and the number of emergency calls in the area to the Honolulu Fire Department grew from one per year in 2002 to about 11 per year in 2018; and

WHEREAS, in response to community complaints, the HPD issued 93 citations for trespassing on State property and made six arrests between March 14 and March 23, 2021 during an operation that focused on illegal hikers on the stairs; and

WHEREAS, on June 21, 2021, an HPD officer reported being assaulted by a trespasser who illegally accessed the stairs; and

WHEREAS, hikers have introduced invasive plant species into the area, particularly at the summit of the stairs; and

WHEREAS, the BWS transferred ownership of the stairs and the land around it to the DPR on July 1, 2020, and the City Administration then began to prepare a request for bids to select a private company or organization to "provide a safe and well-managed access to the stairs"; and

WHEREAS, the City Council ("Council") on December 9, 2020 considered Resolution 20-323, which would have authorized the City to execute a 12-year concession agreement with an unspecified vendor to develop a managed access plan and guided hikes at the stairs, but did not adopt that resolution due to community concerns; and

WHEREAS, the Council believes that a "managed approach" to the stairs will not be effective as the stairs' worldwide social media profile will continue to attract trespassing hikers, and their numbers will grow as the City's economy recovers from the COVID-19 pandemic and tourists return to Oahu; and

WHEREAS, the Council notes that in January 2020 the BWS prepared a Final Environmental Impact Statement ("FEIS") on possible alternative actions for the stairs and proposed removing them at a cost of \$986,266, as such a removal would:

1. Stop trespassing and end disturbances in local neighborhoods;
2. Increase public safety by eliminating calls for emergency assistance from injured hikers;



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3. Remove the liability to which the City, as property owner, is exposed if trespassing hikers are injured; and
4. Protect the environment by reducing negative impacts from hikers on the surrounding watershed lands; and

WHEREAS, while the FEIS assessed a conveyance alternative that would open the stairs for public use through a managed access approach, the Council notes that the managed access option anticipated financial and other contributions from the City, including approximately \$900,000 in funding from the BWS to establish and improve legal access to the stairs, potential funding for a comfort station at the base of the stairs, and on-street parking or parking at the heavily-used Kaneohe District Park; and

WHEREAS, the negotiations needed to establish a legal access route to the stairs for a managed access approach would be complex and require legal agreements between numerous landowners, including potentially both government and private landowners who may not wish to allow access to the stairs through their properties; and

WHEREAS, the Council finds that the only viable solution to mitigate liability and legal issues to the City, reduce nuisances and disturbances to local neighborhoods, increase public safety, and protect the environment is to remove the stairs and its accessory structures; and

WHEREAS, Ordinance 21-21, the Executive Capital Budget and Program for Fiscal Year July 1, 2021 to June 30, 2022 which was unanimously approved by the Council, included \$1 million for the removal of the stairs; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that the City Administration is urged to remove the Haiku Stairs and its accessory structures to stop trespassing, reduce disturbances to local neighborhoods, increase public safety, remove potential liability to the City, and protect the environment; and

BE IT FURTHER RESOLVED that the City Administration is requested to report back in writing to the City Council within 60 days of the date of the adoption of this resolution on its plan to remove the Haiku Stairs and accessory structures; and



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BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Mayor, the Managing Director, and the Director of Parks and Recreation.

INTRODUCED BY:

Githu Uliana

DATE OF INTRODUCTION:

JUL 02 2021

Honolulu, Hawaii

Councilmembers

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CERTIFICATE

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Introduced: 07/02/21 By: ESTHER KIA'ĀINA

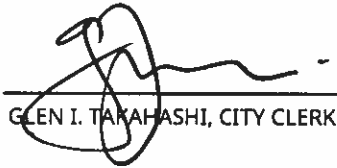
Committee: HOUSING AND THE ECONOMY
(HECON)

Title: URGING THE CITY ADMINISTRATION TO REMOVE THE HAIKU STAIRS AND ITS ACCESSORY STRUCTURES TO STOP TRESPASSING, REDUCE DISTURBANCES TO LOCAL NEIGHBORHOODS, INCREASE PUBLIC SAFETY, REMOVE POTENTIAL LIABILITY TO THE CITY, AND PROTECT THE ENVIRONMENT.

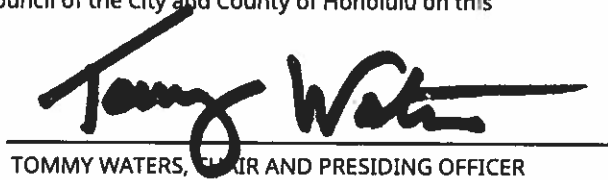
Voting Legend: * = Aye w/Reservations

07/02/21	INTRO	Introduced.
07/20/21	HECON	Reported out for adoption. CR-212 5 AYES: CORDERO, KIA'ĀINA, SAY, TULBA, TUPOLA*
09/08/21	CCL	Committee report and Resolution were adopted. 9 AYES: CORDERO*, ELEFANTE*, FUKUNAGA, KIA'ĀINA, SAY, TSUNEYOSHI, TULBA*, TUPOLA*, WATERS

I hereby certify that the above is a true record of action by the Council of the City and County of Honolulu on this RESOLUTION.



GLEN I. TAKAHASHI, CITY CLERK



TOMMY WATERS, CHAIR AND PRESIDING OFFICER