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July 12, 2024

Testimony to the Board of Land and Natural Resources

DLNR Boardroom, Kalanimoku Bldg, Room 132

**Conservation District Use Application (CDUA) KA-3926 for the
Nāwiliwili-Ahukini Shared-Use Path Project**

STRONG SUPPORT

Aloha Chair Chang and Members of the Board,

On behalf of more than 20,000 individual members and constituents, the Hawai'i Bicycling League is in strong support of the proposed construction of the Nawiliwili – Ahukini path, which when completed will continue the building of *Ke Ala Hele Makālae* shared use path along Kauai's East shore. Trails like this are key to connecting communities safely, reducing carbon emissions, and ensuring accessibility for everyone to enjoy some of the most beautiful coastal areas anywhere in the world. Expanding the active transportation network and infrastructure is needed everywhere, but especially on Kaua'i, where too many cars are choking a limited highway system leading to dangerous and unhealthy traffic conditions.

Further, the Kaua'i Kākou General Plan identifies *Ke Ala Hele Makālae* as a priority project to connect communities on the east side of the island from Anahola to Līhu'e with safe bicycle networks. This is a strategy consistent with Complete Streets policies and Vision Zero goals.

The presence of homeless encampments along the shoreline and the County's efforts to clear the encampments and accumulated trash and debris should not prevent the BLNR from approving the CDUP. The public deserves safe access to the shoreline sooner. The decades of study and delay in implementation of this shared use pathway are a luxury that the public can no longer afford given the statutory requirement for decarbonization by 2045 and the [recent court ordered settlement in the Navahine F. v Hawai'i Department of Transportation](#).



The DNLR staff recommendation to proceed with this project notes 25 standard and special conditions. This level of oversight and qualification for a short section of a multi-use path represents a barrier to building the multi-modal transportation network that people across Hawai'i deserve. HBL encourages this Board to examine department procedures to identify ways that projects like this can get built sooner rather than later.

Respectfully,

A handwritten signature in black ink, appearing to read "Eduardo M. Hernandez", is positioned below the word "Respectfully,". The signature is fluid and cursive, with a long horizontal stroke at the end.

Eduardo M. Hernandez

Advocacy Director

Hawai'i Bicycling League

About: Hawai'i Bicycling League (HBL) is a 501(c)(3) non-profit founded in 1975 with a mission to enable more people to ride bicycles for health, recreation, and transportation through advocacy, education, and events. HBL advocates for increased and safer biking facilities, along with legislation to improve safety for all vulnerable users to continuously evolve our community into a better place for biking, rolling, and walking. HBL educates people of all ages and abilities to improve their cycling safety and comfort, and educates motorists about laws and how to reduce crashes with vulnerable users. HBL's BikeEd Hawai'i program has taught bike safety to more than 100,000 4th graders since 1989. Signature events organized by HBL include the annual Honolulu Century Ride and the Haleiwa Metric Century, among others and numerous weekly group rides. HBL is funded by grants, donations, memberships, and proceeds from events. Complete information is available at www.hbl.org.



Jennifer Jones-Patulli, Secretary

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a registered 501 (C) 3 non-profit, EIN 27-3343903

July 10, 2024

Subject: Support for Conservation District Use Application
CDUA KA-3926 Nawiliwili-Ahukini Shared-Use Path Project
Located at Kalapaki and Hanamaulu, Lihue, Kaua'i
Tax Map Keys (4) 3-5-001:008 & 102 & 128 & 160

Mr. Michael Cain, Administrator
Office of Conservation and Coastal Lands
Hawai'i State Department of Land and Natural Resources
PO Box 621
Honolulu, Hawaii 96809

Dear Mr. Cain:

Below please find my written testimony for Conservation District Use Application CDUA KA-3926. This application seeks permits for the expansion of Ke Ala Hele Makalae shared-use path in the Ahukini area on the island of Kaua'i, a project that is not only beneficial but imperative for the serious issues developing in the area.

Immediate and Critical Concerns

The illegal encampments along our coastline pose significant environmental and safety hazards. These unauthorized settlements have turned a beautiful conservation area into a landfill strewn with abandoned cars, trucks, and even school buses. Denying CDUA KA-3926 would perpetuate this environmental catastrophe, as currently there is almost no foot, vehicle or bicycle traffic from the local community. The expansion of Ke Ala Hele Makalae is a crucial step in reclaiming and conserving this land, restoring it to a safe, accessible, and environmentally sound state.



Environmental and Safety Hazards

The current state of the conservation lands between Ahukini Landing and Ninini Point is dire. In the last several years, the number of abandoned cars in the area has more than tripled, and the area is quickly becoming an unauthorized garbage dump. What's more, without a path, our first responders have limited vehicular access to several locations in this area. As the homeless encampments increase in size, the fire risks grow, especially in summertime when the brush surrounding the area is particularly dry.

Our first responders face hazardous conditions due to the encampments, struggling to navigate the area during emergencies. Cars being set on fire in this area has become a regular occurrence, and firefighters are exposed to toxic smoke from these car fires, putting their health and safety at risk. Approving this application will facilitate the construction of vital

1. Photo by Butch Keahiolalo

Kauai residents working together to preserve, protect, and extend access island-wide through the design, implementation, and stewardship of non-motorized multi-use paths.

infrastructure that ensures our emergency services can operate safely and effectively, protecting both our responders and our residents.

Moreover, the growing physical danger in the area as a result of these encampments has rendered previously accessible fishing spots essentially off-limits to local fishermen. The presence of off-leash aggressive dogs and other hazards have made these areas unsafe. Approving this project will be the first step in restoring safe access for fishermen.



2. Photo by Butch Keahiolalo

Federal and Other Funding at Risk

Kauai's Department of Public Works has secured full funding for this project, a testament to its importance and potential impact. However, this funding is contingent upon timely progress and approval of necessary permits. Undue delays in approving CDUA KA-3926 risk forfeiting this critical funding, jeopardizing the entire project and undermining years of planning and community effort. It is imperative that we secure the Conservation District Use Permit to ensure these funds are utilized to their full potential for the benefit of Kauai.

Pathway Segments and Community Benefits

The proposed path segments under this application are:

- Ahukini Landing and Ninini Point Street: Construction of a new concrete path along the shoreline.
- Ahukini Road from Ahukini Landing to Kapule Highway: Designated as a shared-use road with appropriate signage and striping.
- Ninini Point Street to Kapule Highway: Designated as a shared-use road with necessary signage and striping.

These segments have been the subject of years of study and consultation with the State Historic Preservation Division and the community to develop, preserve, and perpetuate historic and cultural resources along the path corridors. The final environmental assessment was reviewed and accepted by the County of Kauai, Department of Public Works over 6 years ago. The project was issued a Finding of No Significant Impact ("FONSI") in October 2017, confirming that the path segments present no significant concerns.

The development of Ke Ala Hele Makalae respects and perpetuates the historic and cultural resources along its corridors. This project not only provides recreational and transportation benefits but also honors our island's rich heritage.

Urgent Need for Approval

The need for action is immediate and unmistakable. The approval of Conservation District Use Application CDUA KA-3926 is a critical measure to address the rampant environmental degradation, ensure the safety of our first responders, and enhance the quality of life for Kauai's residents. This project represents a proactive, positive step forward in our stewardship of the island's precious resources.

Sincerely,

Jennifer Jones-Patulli
Secretary, Board of Directors
Kauai Path, Inc.

cc: Wade Lord, County Capital Improvements Program Manager, County of Kauai
James Nierman, Senior Planner, R. M. Towill

From: [Butch Keahiolalo](#)
To: [DLNR.BLNR.Testimony](#)
Subject: [EXTERNAL] Testimony for CDUA KA-3926
Date: Tuesday, July 9, 2024 10:39:53 PM

Aloha,

I submit this Testimony for CDUA KA-3926.

As a retired Fire Captain for the Kauai Fire Department I have intimate knowledge of the area in question. I have responded to countless medical emergencies, brush fires, and nuisance car fires in this area behind LIH Airport. Fires in this area are very hazardous due to the vast amount of abandoned cars and trash piling up. It's also very difficult to access for the same reasons. Emergency vehicles can no longer access due to the vast amounts of abandoned vehicles and homeless structures. We were taking patients out in the back of the airport security pick up truck. The area needs to be addressed immediately for public safety. The coastal path will eliminate illegal activity and camping as it's done on other parts of the path. Any illegal campers should be removed and all homeless people should be relocated and/or sheltered so that the area can be restored so the coastal path project can be completed. The need to house the homeless should not impede a community coastal path project that is approved, funded and permitted. This is not a campground location. There is no drinking water nor bathrooms. The only access is an unimproved dirt road.

At this time it is not a safe space without improvement such as the coastal path. There are numerous people living illegally in this area with loose dogs. Residents and visitors frequent this area for leisurely walks and to visit the lighthouse but are wary of the areas surrounding the homeless camps. There are already limited safe spaces for recreational activity on Kauai. The roads are not the safest spaces to walk, run, and/or bike on Kauai. I have been struck twice while riding my bike on Kauai. Women and children need safe spaces to enjoy outdoor recreation. The homeless camps are not safe spaces to live either. There are no toilets or water. Currently, the coastal path in Kapaa is the only place my daughters feel safe walking outside other than a treadmill at the gym. Lihue has voiced its need for a coastal path and the project should reflect the needs of the community.

The need for multi modal transportation options has been evident in the community's request for this coastal path to be completed after its original induction into the General Plan in 1994.

Fire mitigation, safe spaces, alternatives to vehicular transportation, coastline preservation and conservation along with safe access are just some of the reasons that no agency should hinder this project one more day. Another intense brush and vehicular fire in this area could send embers miles downwind resulting in another Lahaina Disaster that could have been prevented.

I encourage you and your staff to give the green light. The community has been waiting long enough for this project to reach the finish line.

Thank you,
Butch Keahiolalo