

## MINUTES

### **PARKS & RECREATION COMMITTEE**

**May 2, 2007**

A meeting of the Parks & Recreation Committee of the Council of the County of Kaua'i, State of Hawai'i, was called to order by Councilmember Tim Bynum, Chair, at the Historic County Building, Room 201, Līhu'e, Kaua'i, on Wednesday, May 2, 2007, at 9:04 a.m., after which the following members answered the call of the roll:

Honorable Tim Bynum  
Honorable Jay Furfaro  
Honorable Shaylene Iseri-Carvalho  
Honorable Ron Kouchi  
Honorable JoAnn A. Yukimura  
Honorable Mel Rapozo, Ex-Officio Member  
Honorable Bill "Kaipo" Asing, Ex-Officio Member

There being no objections, the Committee recessed at 9:04 a.m.

The meeting was called back to order at 3:14 p.m., and proceeded as follows:

Minutes of the March 21, 2007 Parks & Recreation Committee Meeting.

Upon motion duly made by Councilmember Yukimura, seconded by Councilmember Iseri-Carvalho, and unanimously carried, Minutes of the March 21, 2007 Parks & Recreation Committee Meeting was approved.

The Committee proceeded on its agenda items as shown in the following Committee Reports which are incorporated herein by reference.

**P/REC 2007-2** Communication (3/15/2007) from Tim Bynum, Parks & Recreation Committee Chair, requesting that the Administration be present to provide the status on responses to the January 19, 2006 follow-up questions regarding Bill No. 2149, Relating to Camping at Lydgate Park.  
**[This item was deferred pending a comprehensive report from the Administration.]**

**TIM BYNUM, PARKS & RECREATION COMMITTEE CHAIR:** So we have two (2) communications from Bernard Carvalho who is out of state regarding this issue. We spent lengthy time two (2) weeks ago going over the 12 questions that were sent on January 19, 2006. the response to question 5 although we had an opinion from the previous County Attorney, apparently our current County Attorney is going to look at this issue and is pending a meeting with the Director of

Parks & Recreation regarding the interpretation of ADA guidelines. The other item regarding question number 12...

SHAYLENE ISERI-CARVALHO: 11.

Mr. Bynum: 11 which was the County Attorney's opinion on the legality of hiring outside private personnel to provide security functions for the County. Is there any questions about this?

Ms. Iseri-Carvalho: Yes, there is. It is, I guess, my intention with respect to these questions that I had sent over some time ago. It still hasn't been fully completed. What I see in question 5 is that the County Attorney still needs to meet with the Director of Parks & Recreation to answer the question as far as question 11. Number 3, it appears that there is a privatization issue that is of concern. It is set to sunset on June 30 of this year. We do know that the Legislature will be closing its session tomorrow, so we would have an answer as to what happened to that provision if it still exist or it does not by tomorrow or soon thereafter. So this question as well has not been really fully answered, so I will be asking for a motion to defer to get those responses.

Mr. Bynum: Any other comments? Is there members of the public who would like to testify on this matter?

There being no objections, the rules were suspended.

GLENN MICKENS: Thank you Tim. I think you have a copy of my testimony. I will read it for the record please. If I remember correctly, the reasons that the campgrounds in Lydgate Park was not open in 2006 were due to 188 non-compliance problems which are being addressed, not enough bathrooms for full campgrounds as Kaipō asked the question and probably instances that would occur with the campers needing security to handle them. The ADA problem was discussed for hours at the last Committee meeting and is yet to be resolved. Councilwoman Iseri-Carvalho did an outstanding job of reviewing the entire the project and pointing out certain untruths that were told. I believe that Council Chair Asing more than made the case that there are not enough bathroom facilities to handle the people when the campgrounds are full even... (inaudible). For me, the security issue which Mel so well highlighted is undoubtedly the greatest problem that needs addressing and solving in my opinion anyway. Let us not forget the campgrounds that were in this area about 20 years ago were shut down mainly because they became drug hangout and with the proliferation of drugs, especially ice, the same problem is bound to happen again.

As Councilman Rapozo so wisely pointed out in 2006, security will be a major issue at these campgrounds and if it isn't drugs, then noise, fights and alcohol abuse will happen. It will not be able to be addressed by our Police since they have other major issues as top priorities. In fact, I believe that you had a member of the KPD testify about these campgrounds and he verified this. What about needing more

caretakers (change tape)... with three (3) more sports fields coming to this area, are we ready to increase the budget to take care of everything we are putting on our plates. Our infrastructure is hurting now and until we can properly take care of what we have and Jay brought this up long ago about what level we are going to have at our recreation areas taking care of. What makes anyone think that an added campground will be any better? For me, this beautiful park is maxed out now and doesn't need campgrounds. As usual, this Administration puts the cart before the horse and built these grounds without first addressing the many problems that have arisen and will arise. Like the bikepath, start construction and then get bogged down with the problems instead of properly planning the total project first. Thank you.

Mr. Bynum: Any questions for Glenn? Anyone else would like to testify on this matter? Ken?

KEN TAYLOR: Chair and members of the Council, my name is Ken Taylor. I certainly agree with most everything that Glenn has said and, again, I would just like to raise the issue of the major change that is going to be taking place on the island here very soon and that is the arrival of the Superferry. I am not a great believer in ferries, but I understand that the Superferry is going to be here and it is going to change a number of things on the island and I don't see any reason whatsoever at this point in time to open this campground with this coming upon us. There is no why it can't wait another year or so, so we see what the impacts are of the arrival of the Superferry and what kind of changes the community is going to have to address to take care of those issues that come about from that. I think there is adequate campgrounds for the local people currently around the island. I see from time to time in visiting these sites that they are not all being utilized, so there is absolutely no reason to rush into moving this one forward. Thank you.

Mr. Bynum: Any questions for Ken?

Ms. Iseri-Carvalho: Yes, Ken, thank you for your comments. I recall you raising that issue before about the Superferry and we, as of yet, at least I haven't been able to bring that issue forward to be discussed with the Police Chief. As you know, we are in an interim Police Chief situation too, so it makes it real difficult to sort of establish policies of the Police Department in responding to complaints. Last year, when the Police Department testified, they were very clear in stating that they really have only one Officer per beat at any given eight (8) hour period. And sometimes there are not even able to address even that short time frame because sometimes one of the Beat Officers have to respond if there is another incident that happens, it has priority... that person will leave its beat to assist another beat, so sometimes they can be a beat that has no Officer in it. So at the time, I believe the Acting Chief that is presently... the Acting Chief did testify that he did have some concerns. While they are not going to be policing that area as if it is one of their... they would look at that area and drive through and they will not be getting out of their vehicles at all unless there is something of suspicious nature that they find and that it is of a heightened dangerous situation, but they

will not, as a matter of policy, get out of their vehicle at all to go patrol the campsites. They don't do that at any of the other campsites as well. 'Anini, Hanamā'ulu, Salt Pond because, again, they don't have the manpower. We have almost 20 plus vacancies at the Police Department as we speak today and that does not include those that will be retiring and moving onto the other jobs, etc. We have basically been in the area of vacancies for the Police Department, between 20 or 25 every year. I don't think, as the Council Chair has stated, ever since he can remember that it was even less than that, so there is definitely a problem. I think the proposal that the Superferry will be here is also a problem. The Police Department had previously testified as well that because of the cruiseships that they had had to allocate their resources to Nāwiliwili a lot. So, there really is a short amount of staff that is being spread thin as it is, so that definitely has to be addressed because public safety is the primary concern, so we will definitely have to get an okay from the Police Chief that they are willing to and able... I am sure they are willing to do it, the fact is, are they really capable of providing the kind of security that is necessary to assure that the campers who use that site do not get a false sense of security, but are understood that should something happen there that the Police will have ample time with ample force.

Mr. Taylor: This is exactly why I raise the issue because we have potential everyday of having several hundred automobile loads of people arriving on the island with the Superferry. This kind of thing if you... if 20 of those people are campers, it creates some real problems and if we can't take care of policing this situation as it exist out there today, then, certainly, with that kind of an increase on a daily basis, yes, some of them will be leaving, but eventually, it will get around and it will be in the same thing, but we don't know what the load factor will be on the island from the day to day operations of the ferry. So I just think under the circumstances and until we can fill those 20 (inaudible) and all of those kinds of things that we keep this facility as a day use primarily... I mean, I am appalled when I hear people talking about, well, don't go down there after dark, it is unsafe. Don't get out of your car, don't do this. What a shame in paradise to have to live under those circumstances, but we've seen where there has been beatings and other activities take place which is a sad thing, but it gets back to the fact that we cannot police it and under those circumstances, we shouldn't be adding to what the potential problem that we can't resolve. That is why I asked that we hold off on this for awhile and let's see what the Superferry does to the community in general and another year is not going to make a big difference. Like I said, the campgrounds that are out there today aren't totally being used. There is not a 100% booking day to day to day, so as long as that is not the case, then there is no reason to rush into putting a few more campgrounds that we can't police. Thank you.

Ms. Iseri-Carvalho: Thank you.

Mr. Bynum: Thank you very much. Anyone else who would like to testify on this matter? Mr. Rosa?

JOE ROSA: Good afternoon members of the Council. I am here in regards of the Lydgate Park facilities which Mr. Tim Bynum is the Chairman. (Inaudible) law enforcement because in the 70's, I was on the jury panel where some tourist from Canada was assaulted and attacked. And by the time the Policeman got there, those that were responsible were gone and then they picked up people that weren't even involved on it... they had to come to court and they were acquitted, so now, something like that there was a bad black mark and the thing is, if you don't have proper enforcement... we had 20 to 30 Police Officers short, they are going off their beat and they are not going to stop and catch every camper that is around there to see if they are okay. So I think that we are not quite ready for more additional camp spaces like the previous speaker said that, see what comes about with the Superferry because we can come with campers, cars and utilize those campgrounds. So before doing anything else, see what we have first, then the second that I want to bring up Mr. Bynum is, you are constructing the soccer fields right now...

Mr. Bynum: Right now, Mr. Rosa, the agenda item has to do with camping.

Mr. Rosa: But something also that is going to be involved with the camping. Your camping, parking... in that area right now, Saturday and Sundays are bad. There is no parking space for any parties when you have parties or things like that there. So a parking facility should be (inaudible) also. We need more parking. They are parking all along the highways, double park... if I know somebody, I am going to parks right behind your car and tell you when, eh, when you go out, let me know. It happened to me once already, so there is not enough parking. So before... I want to just say, before you think about making those soccer fields, think about the big parking area because you are going to get statewide tournaments, you are going to get local people, you are going to get outside people with cars and it is going to be a problem. Think beforehand, don't think when you do something and do it later after the fact.

Mr. Bynum: Thank you Mr. Rosa. Councilmember Yukimura?

Ms. Yukimura: Yes, actually, it is too late to thank... some of us thought those sports fields should be at the stadium where there would have been parking, but it is too late, but I just wanted to get clarification from you. When you say that there are parking problems, you mean in the main park area, right? Where the big pavilion is?

Mr. Rosa: The whole area where the big pavilion... around the shoreline where they have those...

Ms. Yukimura: Because I have never seen parking problems in that proposed camping area.

Mr. Rosa: Well, that is why I said, you know...

Ms. Yukimura: But you are talking about that other area.

Mr. Rosa: The other area. It is a problem as far as parking also.

Ms. Yukimura: Okay, thank you.

Mr. Rosa: They are doing things that are increasing and increasing for the public and for the people, but they are not taking that problem of parking, additional parking areas that is why people are getting disgusted about it. You can't get a parking space down there.

Ms. Yukimura: Maybe they can ride their bikes instead.

Mr. Rosa: Ride the bikes... how are they going to ride the bikes down from Wailua Houselots or Kapa'a?

Ms. Yukimura: I don't know without a bikepath, how are they going to...

Mr. Rosa: I am going to sell bike racks, so they can put it on their cars.

Mr. Bynum: Any other questions for Mr. Rosa? Thank you very much for your testimony.

Ms. Iseri-Carvalho: Just a clarification. I know you mentioned earlier and this is sort of off the agenda, but we have gone off regarding the soccer field. They are not soccer fields. They can be of a soccer fields, they can be baseball fields, they can be open fields, it is sports fields, so we want everybody to know that they are not solely for soccer use and that there will be a process that would be set up that other people will be able to use that facility for a variety of sports, not only soccer.

Mr. Rosa: And I forgot to mention about it. If you are going to do something like that there, have ample facilities for restroom facilities because I have seen it at Honolulu Stadium and the lineup. Don't do those kinds of things. If we are going to do it, get the things that the public is going to need like restroom facilities and stuff.

Mr. Bynum: Thank you Mr. Rosa and thank you for your clarification. I know some people are anxious to play rugby down there.

Mr. Rosa: Yes, thank you.

Mr. Bynum: Any other persons who would like to testify on this matter? I am sorry to interrupt, but we have to take a caption break. Ten minutes, so caption break is 10 minutes. I apologize, but we will be back at 3:45 p.m.

There being no objections, the Committee recessed at 3:33 p.m.

The meeting was called back to order at 3:49 p.m., and proceeded as follows:

Mr. Bynum: Thank you for your patience.

There being no objections, the rules were suspended.

ELAINE DUNBAR: Elaine Dunbar. I am hoping that this Council will take into serious consideration of the very astute observation from Ken Taylor as to what could come out of this Superferry situation. What he is suggesting by postponing for a year, I would say at least a year is such an excellent idea. That park is just about one of the few places that local have left to go. It is centrally located, anniversaries, birthdays, everything is at Lydgate Park. To open it up to camping is going to lay out the red carpet for all our fears of what is going to arrive on the Superferry. It is going to be opening or creating a pocket, a crime pocket. Police don't need anymore of those places. Hanamā'ulu is already going to get overrun. That is one that they can focus on and they are steadily focusing on that, but to open up Lydgate also is just laying out the welcome mat. There is a place to go now, where as it is on Kaua'i now, everything is access, everything is closed up pretty much. Unfortunately, for the locals, but for this Superferry, it is going to be an advantage that everything is so tight over here. If you do decide to go ahead with the camping permits at Lydgate, that will have to go hand in hand with traffic lights at both exits immediately. I mean, they will have to coincide, but that is a zone that you don't want to open up. It is just open up the gates, thank you.

Ms. Yukimura: Ms. Dunbar...

Mr. Bynum: Ms. Dunbar, you have a question from Councilmember Yukimura.

Ms. Yukimura: So what do we do after a year?

Ms. Dunbar: Bring it up again, see what it looks like, see if... already, your County park is inundated with people that have nowhere to go. Slowly, but surely, people are coming here from the mainland.

Ms. Yukimura: Well, you know, basically, we are saying that we have to close our parks to our people in order to close it to outsiders?

Ms. Dunbar: You are not closing the park. You are just not allowing overnight camping. That is going to open up a big can of worms. If you are going to do it like Ken Taylor said, reconsider it in a year, but definitely not now with the Superferry coming. God only knows what is going to happen. Doing the two (2) side by side, Superferry and opening up the park is absolutely ridiculous.

Mr. Bynum: Thank you for your testimony. Anyone else on this matter?

GUY CROYDON: Good afternoon, I am Guy Croydon for the record. I wasn't planning on testifying on this, however, I do have some personal experience which I would like to relate to the County. Last summer, I took my family up to Hā'ena Beach Park (one of the most beautiful spots on the island, beautiful place) and I got a camping permit and when we arrived, there were a few tents scattered around and not very many people though. We set up our tent and the sun went down and all of a sudden a whole bunch of people showed up. These were not people whom you would find in your neighborhoods or anywhere else. They were transients, most of them and I spoke with them and most of them were going through great lengths to say that they have been residents of the park for five (5) years or more and that they originally came from the east coast. During the course of the night, there was drug dealing going on and I also noticed that a lot of them had staff infection which prompted me to pack up my kids and leave the park. Actually, we spent the night in our tent, but there was a lot of ruckus going on all night. It certainly was not a place where we would like to have our family. My concern is if we can't police the parks that we already have and be able to make them safe for our local residents to camp, perhaps is not the right time to open the park as much as I really... I think it is a beautiful concept and everything that is going on with the bikepath and the whole region there. It is a beautiful idea and I hope someday we are capable of protecting our investment in that region. It might be a good idea to hold off on opening the camping especially in light of the Superferry.

Mr. Bynum: Thank you Guy. Any questions?

Mr. Croydon: Thank you.

Mr. Bynum: Anyone else? Any discussion among Councilmembers? I would just like to let people know that the purpose of this communication was to get movement on the 12 questions which had been stalled and luckily we have had movement and many of them have been answered or in the process of being answered. It was... we are receiving communication from Ms. Wai who testified here last month and the process of trying to resolve the ADA issues at the campsite, the outstanding question from the County Attorney is on the agenda, but the purpose of this communication was the answer to the 12 questions. Also, coming forth will be the campground ordinance which will have opportunity to discuss some of the issues that were brought up here today about security and get some of the specifics of what is recommended in that ordinance to try to address some of the concerns that I heard here today. Having said that, any other comments from Councilmembers?

Mr. Furfaro: Mr. Bynum, if you could first call the meeting back to order.

The meeting was called back to order, and proceeded as follows:

Mr. Bynum:           Councilmember Furfaro?

Mr. Furfaro:        Thank you. I have to tell you. I have some real concerns about quality control in the park and I think that is very, very important from the standpoint that through a contribution of volunteers in the community, people that have stepped forward, donation for materials, the reality is, it took us one year to even get close to understanding the ADA portions which in my opinion was much too long. It is something that we need to put some urgency on in the way of defining compliance. I know in the private section, I would struggle with finding something that took us a year to complete. Now, I think we are faced with another issue here Mr. Bynum and I brought it up two (2) years ago when we talked about the reservation service for the park and the fees because at that time, I raised sincere concerns about people acquiring permits ahead of the kama'āina families here. And that, in fact, that the park was really become a camping ground for off-island residents rather than serving the community and that it would require a tiered type of rate schedule, but more importantly, it would absolutely require us to have a park officers there to service and recover the cost from the fees. Going through this long period with ADA compliance, I don't think we are any closer to even understanding how we would handle lost prevention. I saw in your presentation a week ago, the recommendation that, you know, a time period be allowed for local residents and that there be a tiered pricing and that is something that we need to discuss before we get to the point to open the park, but more importantly, the park needs to be controlled... believe it or not, yesterday, I got in a wrestling match in front of the County Council here with three (3) guys chasing an individual who all camped in our County yard and they were struggling with who owned a radio and had to call 911 and... I mean, this is an issue that is right here in our Council area and it is very unfortunate and it is unfortunate that many off-island individuals, mainland individuals are taking advantage of our wonderful hospitality... I really have to say at this point, but we have no controls in place and that is something that I really think we need to have a serious dialogue about and it needs to move quickly because I think the park needs to comply with ADA, we need to have controls in place and we need, above all, to make preferences for our citizens versus those that are coming over from the other islands who accommodate them in our parks. Because if you know, there has not been any increase in economy hotels on our island. In fact, the Beach Boy, the Islanders, these have all converted to incremental ownership, so we are losing the economic inventory at the bottom, and yet we have no taxes that are initiated at the State level to charge a conversion fee which could be reput into parks and other benefits and certainly something that I would like to see eventually on our legislative package. But I am going to say that we probably need to defer this item for the purpose right now of addressing those particular parts and I know your leadership as Chairman of the Parks Committee and the importance of those items and the commentary we had both from Ken and Elaine are very serious concerns about managing our parks and that would be my commentary. Thank you.

Mr. Bynum: Councilmember Kouchi?

Mr. Kouchi: Judge, based on Councilmember Furfaro's incident yesterday, what is our legal exposure if anything? I am only kidding. I only wanted to say that I would... I don't want to sit here and give you an impression that I don't have thoughts or whatever, but until all of the responses are back, I just wanted to say that I am going to reserve my comments. Thank you.

Mr. Bynum: Thank you. Councilmember Rapozo?

Mr. Rapozo: Thank you. You know, January 19, 2006 is when we sent the first list of questions over... that is over a year ago and the fact that it has been addressed is not the same as it being resolved and I think that is what I am looking for... for it to be resolved... we spent a lot of time in '06 talking about restrooms, talking about ADA, talking about security... those issues have not been resolved. It has been addressed, I mean, we've talked about it, but we still haven't resolved them. The ADA issues, they have to resolve it. They have to make that campsite ADA accessible, that is what resolution is. To recognize that it needs to be done is not sufficient and that is... deferring this really won't do anything as well. It will be back in two (2) weeks to say the same thing or... you know, I say that we receive this and when the Administration is ready to come, come with the bill that is done. I mean, you talk about the hammer and it is unfortunate that is all that we have to do is bring it back every two (2) weeks. You know, it gets old listening to the same responses and same... I don't even think we should look at the bill. I don't think we should even address this matter until these items are resolved. Resolved, not addressed, but for the sake of keeping it alive and keeping this discussion going, I will support the deferral, but I want the message that... get some work in this next two (2) weeks. Get some resolution, get a plan, what are we going to do? What are we going to do as a County to resolve the issue with the ADA? What are the... now with the recent opinion that we cannot hire contract security... I think we kind of knew that back then, but it was an idea that maybe we can hire security guards down there, that is not going to work. What is the plan? Are we going to increase police? Are we going to create more beats? What is it? Who is going to fund it? There are a lot of issues that, again, since January of 2006 that just has not gone... have been resolved. So with that, I will support the deferral no doubt because I think it needs to be here, but my frustration is telling me, you know what, just toss it back across and when you are ready come back because it just wastes a lot of time to be here and talking about the same issues every single week. Thank you.

Mr. Bynum: Councilmember Yukimura?

Ms. Yukimura: I believe Councilmember Rapozo makes a good point that the Administration needs to address/resolve these issues and then come back. I don't think it is worthwhile to just defer it from meeting to meeting. If we defer it at all, it should be maybe pending a plan to resolve the issues or something like that rather than having it on the agenda every Committee meeting.

Mr. Bynum: Councilmember Iseri-Carvalho?

Ms. Iseri-Carvalho: Well, it is quite interesting Councilmember Yukimura that you bring that up because when I had sent over my January 19, 2006 questions, those questions were left pending the answer to those questions. We did not receive the answer, but we decided instead to put it on the agenda. In fact, we actually... I was quite surprised when it was on the agenda because I had not gotten the responses, so it was at that time (the Chair's prerogative) to put it on the agenda without having the issues addressed. It drew some concerns because there were some interactions going back and forth for the whole year on trying to resolve the issues and it was very clear that the Administration had stated a point that they were not ready to open up the campgrounds. In fact, there were a lot of flaws and a lot of deficiencies with the construction of those campgrounds. I had received that information, again, I was shocked that it was on the agenda, so you suggest something that I had suggested a year ago.

Ms. Yukimura: Yes.

Ms. Iseri-Carvalho: If I could finish, but, you know (inaudible), it was worse because it actually came here and then everybody knew that all the statements or a lot of the major statements that had been made by Mr. Haigh were, in fact, untrue. So that was proven and there was, again, you missed the meeting and maybe you did not have the opportunity to review my presentation because I think had you reviewed the presentation, you would have probably had a different understanding of what is transpiring today. But, clearly, one of the points that were made was that the Parks & Recreation Director came here, the Executive Director from DCAB came here, statements on verbatim minutes that were done prior to the questions that were sent out on January 19, 2006 about... from Mr. Haigh, the Chief Building Officer claiming that all of the documents had been approved by DCAB and that it was, in fact, ADA compliant, that we had the clean document of review, that we had a final document review and everything was fine, in fact, had been proven by Francine Wai who was the Executive Director that it was not, in fact done.

Ms. Yukimura: I appreciate that, but I don't want the public to have to go through a repeat of it just on my account.

Ms. Iseri-Carvalho: Councilmember Yukimura, if I could finish please. I am not going to go through the entire thing. You can take the time to watch the minutes if you so choose.

Ms. Yukimura: I will do that.

Ms. Iseri-Carvalho: What I am saying is that we are here when we shouldn't have been to begin with because it had been done. Now, what I am requesting is that these questions, over a year ago, be deferred and I would agree with you that they should be deferred pending a communication from the

Administration that they have resolved the issues and that they are prepared to present all of the legal documents for the construction of that campsite prior to us moving forward. You know, Councilmember Furfaro had talked about, when are we going to start doing things like ready, aim, fire as opposed to ready, fire, aim and this is, again, just another example of how the Administration has worked. It is a detriment and it is the public the one who is suffering because this does sound repetitive after a while.

Ms. Yukimura: Thank you and if I may say something. So I appreciate the confirmation. I do think, though, a year's time is too long to keep waiting and I think that there were some good things that came out of the request that the Administration, at least, give a status report on where they were with respect to the questions and I appreciate the work that was done by Councilmember Iseri-Carvalho and others to show where the (inaudible) exists. So, you know, I am not saying that it should be a forever thing, but I don't think it should be the next meeting and the next meeting, unless we get some indication that the Administration does have a comprehensive approach to how the park should be open.

Mr. Bynum: Councilmember Furfaro?

Mr. Furfaro: I think Councilwoman Yukimura just expressed exactly that. A comprehensive approach on how we open the park and that is what I am really looking for. There are too many people in the community that have given volunteerism, compassion to the asset they were developing, but yet, at the same time, we have some pretty major issues on the horizon about reservations, about control, about maintenance, about safety and at least the ADA issues. I, too, would like to see something that says, given 45 days, we will get an update/status from the Administration on those particular things, but we also have to realize that people that drive off the Superferry will drive their vehicle and find a place to park and camp and if we don't have controls in place, we are going to lose the asset of this park for a very long time. It is going to be very difficult, twice as hard to regain it for the citizens of Kaua'i and those that can benefit on the vacancies of the State of Hawai'i. Those are pieces that need to be looked at relatively quick and, again, between yourself and Mr. Bernard Carvalho, I know we can address those things and do what is right for the community.

Mr. Bynum: Thank you. Anyone else? Okay, so...

Chair Asing: Yes, I'd like to, first of all, thank all the people that come to testify all the time and I must say that we had one individual that just testified that put a light for me. Elaine, I don't always agree with you, but you brought up something that I guess I never thought of and here is what I am making reference to. My thinking was that the campsites would be mainly and I am going to use the word mainly for Kaua'i people. That is the idea, so I agree to that because I think we need good campsites for local people here who live on the island, but now I have second thoughts. And my second thoughts revolve around... there is going to be

about 30 to 31 campsites, you know, small sites, large sites and looking at the numbers, you know, the numbers can go up into the 300 area, so here is what I didn't realize. What I didn't realize that everyday if I wanted to, Kaua'i residents can go there and enjoy the beach and the whole area everyday. If we open this up to camping, it is not available anymore for our Kaua'i resident because it is gone. The people are camping there. You won't have space for the local residents and if it is on some weekends, long weekends where you have holidays and the sites are all reserved, God, you are a local family and you want to picnic on the holiday, you are out. So, you know, I just have some second thoughts about, you know, should we or shouldn't we. I just want to thank the public. Sometimes when you come testify, you think that, you know, that we are not listening and that is not true. Many times, as a Councilmember, I do pick up things that make me think again and change and this is one of them because I never thought of that. And I am saying, wow, what if we opened up this camping grounds and we had people from the mainland that decides to bring their work, their group of people of 200 people to camp for a week, you know, what about our local people? Where are they going to go? They can't use the area anymore, so anyway, I just want to let the public know that I have some second thoughts and maybe something can be worked out, but it is a concern of mine right now because it could be possible that we will be opening this area up to service the tourism industry and people from the outside and close use for our local people on a daily basis. So I am trying to work that out in my mind and see what is the best thing to do, so I just want to thank the public for their comments. Thank you.

Mr. Bynum: Council Chair, if I could, I just would like to... I share your concern and I think when we discuss this proposal and part of what I talked about last week is my strong recommendation is that we now have camping permits available in our neighborhood centers that are available to local people. My strong recommendation that I have made for several years that camping permits are only available at our neighborhood centers, that they are not available on the Internet, they are not made available during the... in the mail, so persons applying for a camping permit would have to actually be here on island. We have a system now where you can't get them two (2) years in advance... there is a certain time period administratively set, so I think that policy would give a very strong advantage to local people to get access to the permits because I share the concern that as Kaua'i gets more and more popular if we make these available... the National parks have seen that in their most favorite places that you have to know what that date is a year in advance and jump on it. So we definitely need a mechanism because the intention... the reason there is camping there is because local people ask for it and that was part of the planning process and the purpose is to serve primarily local residents and I think that is the mechanism to do it to make those permits available in our neighborhood centers and not available by other means. You know, Lydgate Park, in the last 10 years, the shoreline is almost 1.7 miles long that is accessible and available for local people to use. Prior to the developments there, that was a pretty limited space, so, you know, the area is currently being used for day use and night use. We have security concerns there right now, so, you know, all that I ask the Committee members, you know, I would be fine with receiving this

communication and then bringing it back... bringing the ordinance back when the Administration feels like they can answer all the questions if that is the desire of the Committee because these questions were languishing and in the last two (2) months since they have been put back on there, most of them have been answered and resolutions are either done or in the works. So that is the intent is to resolve the issues that were asked in the 11 questions and a number of them are resolved and others, resolution is not far off. It is certainly much closer than it was a couple of months ago when there was no momentum to resolve these questions. So whether it is to receive this communication and bring it back with the ordinance or to defer, it is the pleasure of the Committee.

Mr. Furfaro: Again, Mr. Bynum, I want to point out that my opening commentary and I think concurred by Councilwoman Yukimura is, I would like to see it deferred with some specific report on the issues that have been brought up today. For both your information and Councilwoman Iseri-Carvalho's information and maybe even Ron... in my first term on the Council, I raised these questions about how do we control space, how do we block space... we got a County Attorney's opinion that implied that we had to have a reservation system that did not leave out other kama'āinas within the State of Hawai'i. What I have recently heard your suggestion about maybe having the reservations only on-island would give some type of preferential treatment just from the standpoint that advance reservations are taken for local people and so forth. But even that question hasn't been answered and that was raised two (2) or three (3) years ago. It is an issue that requires us to have a very firm plan with high controls and I want to reiterate that I know the mission of the park was, of course, for some entertainment in a way of camping primarily for local residents and I still support that. But we have operational issues that have not been satisfied and it would be very concerning for me to push forward with this thing keep coming up on the table without necessarily having an understanding that we defer it with some mechanism that ask the Administration to answer questions about security controls, reservation procedures, all of those particular things and at the same time, once the Superferry arrives, we are going to need to have some oversight of that park, if not, it is going to get out of our hands. Thank you.

Mr. Bynum: Councilmember Yukimura?

Ms. Yukimura: I would like to suggest that we defer pending a report back from the Administration with a comprehensive plan for opening the park and then I think that will not preclude requesting a status report on their process of developing a plan, so it does give us... if it goes too long, you know, it does give us still the opening to ask for a status report.

The meeting was called back to order, and proceeded as follows:

Upon motion duly made by Councilmember Yukimura, seconded by Councilmember Kouchi, and unanimously carried, P/REC 2007-2 was deferred pending a comprehensive report from the Administration and still

gives the Committee an opportunity to ask for a status report if the process from the Administration takes too long.

**CR-P/REC 2007-4:** on C 2007-21      Communication (11/14/2006) from the County Engineer transmitting for Council review and approval, the position description of the new Park Planner.  
**[Concur and receive for the record.]**

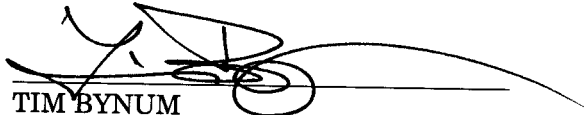
There being no further business, the meeting was adjourned at 4:24 p.m.

Respectfully submitted,



Lisa Ishibashi  
Council Services Assistant

APPROVED at the Committee Meeting held on May 30, 2007:



TIM BYNUM  
Chair, Parks & Recreation Committee

