

## Statement on Laniakea Beach (Turtle Beach) by Gavin Lamb, PhD

From 2016-2018, I volunteered with Mālama na Honu as part of my PhD dissertation research examining the linguistic and intercultural communication aspects of volunteer-tourist interaction around sea turtles at Laniakea Beach. My academic field is intercultural communication, so my main interest involved better understanding how tourists and volunteers from different cultural and language backgrounds view and talk about sea turtles at Laniakea Beach, as well as how tourism and volunteer activities influence how people actually behave around sea turtles. Since the dissertation was not focused on the range of political forces shaping the problems at Laniakea Beach, people looking for solutions to solving the frustrations of overtourism and traffic will likely be disappointed scanning for my proposal. I have to admit I have become increasingly pessimistic about the possibility of finding a relatively near-term ‘solution’ to resolving the issues at Laniakea Beach, even after spending a few years writing a dissertation concerning human-sea turtle relations at Laniakea Beach. My best stab at mapping out what the main problems fueling the trouble there can be found in chapter 2 of my dissertation [which can be found here](#).

I also address some of the concerns raised by Terry Lilley and Shawn Cummings about the Endangered Species Act (ESA) in chapter 2 of my dissertation. In short, what became clear early on in my research involving interviews with volunteers, sea turtle management officials and officers from different agencies tasked with enforcing the ESA was that enforcing the ‘harassment’ of sea turtles – such as non-lethal encounters where tourists touch or crowd sea turtles – is viewed as too legally ambiguous and difficult to enforce. This is in part, as far as I am aware, because there is no legal minimum distance to be kept from green sea turtles in Hawai‘i (only a recommended ‘respectful’ distance of 10ft/3m). In addition, NOAA’s and USFWS’ current position on potential tourist violations of the ESA seems to be that “no amount of human disturbance seems to deter turtles from thriving” (see <https://www.seaturtlestatus.org/articles/2018/12/18/trapped-in-the-crossroads-of-honu-conservation>), leaving efforts to protect sea turtles from tourist crowding and touching up to motivated members of the community, such as the volunteers with Mālama na Honu, to establish managed beaches, or what NOAA, as a funder of Mālama na Honu, refers to as ‘educational beaches.’ This is the model that has taken shape at Laniakea Beach, Ho‘okipa beach park on Maui, and a few other beaches throughout the Hawaiian Islands. In sum, volunteer groups such as Mālama na Honu are left to deal with managing increasing tourist-sea turtle tourism destinations along Hawai‘i’s beaches where ‘low-impact violations’ (e.g. crowding, touching sea turtles) would not be enforced otherwise. This is all to say that I’m not so sure that the ESA is such a straightforward or even practical tool for enforcing sea turtle harassment by tourists at Laniakea Beach, although in principle I imagine it could be if these legal ambiguities are worked out in practice somehow, and provided that more funding is allocated to agencies tasked with carrying out such enforcement. Also, as far as I am aware, there is no consensus among sea turtle researchers and management officials that increased enforcement would be an effective use of what little funding and staff these agencies have at the moment, especially in light of what appears to be a steadily growing and thriving green sea turtle population in Hawai‘i.

Mālama na Honu is also supported with funding by the Hawaii Tourism Authority (HTA), and images of Mālama na Honu’s educational and protection activities are used in HTA’s messaging campaigns and annual reports to the Hawai‘i state legislature to promote its image of sustainable tourism, a point I take critical issue with in more detail of chapter 2 of my dissertation. Briefly, I think it is important to view the situation at Laniakea Beach as part of a fast-growing wildlife tourism industry around the world with mixed-to-poor results for the well-being of wildlife and local communities (see for example the recent June 2019 issue of [National Geographic](#)). There is an increasing body of interdisciplinary research in the social and environmental sciences on the ill effects of wildlife tourism in places similar to Laniakea Beach, as many local and state governments around the world seek to reap the ([diminishing](#)) economic benefits of tourism without providing the resources needed to sustainably manage wildlife and nature-based tourism destinations (references available upon request).

In addition, some members in the local community have made calls in the past to close the beach and create a ‘turtle sanctuary,’ legally restricting beach access to the public. While a possible solution in the

coming years, I don't think this is a short-term solution (e.g. actionable within 5 years) as any form of beach access restriction is a long process and is often challenged in court by different stakeholders. Hawai'i has a strong tradition of public beach access, especially for local communities and Native Hawaiian cultural practitioners. For example, even the placement of barriers to prevent tourists parking on the mauka (mountain) side of Laniakea Beach in 2013 was successfully challenged in court by a coalition of local Laniakea surfers in 2015 who argued that it restricted their access to the beach to surf. So while I think these discussions are important, they seem to be more long term (e.g. at least over the next 5 to 10 years, but probably longer). A recent report from the University of Hawai'i (reference available upon request) has also suggested creating a model similar to Hanauma Bay with an entrance fee and mandatory education center for tourists. This is similar to what State Rep. Sean Quinlan has suggested in proposing a bill that designates Laniakea Beach as an official Marine Life Conservation District (MLCD). However, this also seems to be a challenge, as he wrote to me that his measure HR115 designating Laniakea Beach an MLCD failed to pass, as MLCDs often take years to implement and require robust and on-going community input and debate. Below I have made a list of some of the main solutions I have collected over the years from news reports, government documents, academic research reports and interviews with different stakeholders about the Laniakea Beach issue:

Below I have made a list of some of the main solutions I have collected over the years from news reports, government documents, academic research reports and interviews with different stakeholders about the Laniakea Beach issue:<sup>1</sup>

- Put up barrier to prevent parking on mauka side of highway.
- Close beach and make a turtle sanctuary <https://www.billtrack50.com/BillDetail/1032154>
- funnel all pedestrian traffic under the bridge located on Haleiwa side of the beach so no one ever needs to cross the road.
- Build a pedestrian bridge over the highway.
- Quinlan Plan (Build a parking lot on the makai side and create a by-pass road for local commuting traffic: a map can be found here). However, this idea has been intensely protested in local town halls where the idea has been proposed (see for example: <https://www.Hawaiinewsnow.com/story/23533416/north-shore-residents-sound-off-on-dots-laniakea-plans/>)
- Community Protest: protest or even block traffic until State acts (primarily protesting overtourism and traffic at Laniakea Beach)
- Disband the Mālama na Honu volunteer organization and allow for a new equilibrium to take shape at Laniakea Beach, with the idea that the organization may attracting tourists to the beach with their presence. In addition, Hawai'i residents need to adapt to a growing sea turtle population and allow for different kinds of human-sea turtle relations to take shape at different beaches, where sea turtles recruited to some beaches will be more 'habituated' to people and therefore enforcement of a minimum distance is not necessary.
- A campaign to relocate the 20 or so sea turtles that primarily come to Laniakea Beach to bask to a more remote beach. <https://www.Hawaiinewsnow.com/story/35722188/frustration-over-laniakea-gridlock-leads-to-campaign-blaming-turtles-for-traffic/>
- Enforce ESA regulations more strictly
- Require all tourism operators to pay a \$50 'turtle tax' (e.g. when buying a Public Utilities Commission (PUC) license) to fund government and non-profit educational and enforcement efforts through tourism activity.
- Create a state Sustainable Tourism Czar that is actually a paid position with a funded task force capable of better managing and regulating the tourism industry

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<sup>1</sup> Disclaimer: This list of previously suggested solutions I have collected from different stakeholders during my research is provided here to show the wide spectrum of ideas that have been proposed over the years since issues with traffic and sea turtle tourism at Laniakea Beach started in the early 2000s. **I do not take a position of support for any of the proposals in this list**, but simply provide them here to illustrate the spectrum of proposals, often conflicting, that have been proposed by different stakeholders in the past to give some context for readers unfamiliar with the complex tourism and conservation issues at Laniakea Beach.

- Apply a Hanauma Bay model to Laniakea Beach, not closing it but making it a paid attraction with a per-day capacity limit.
- Make Laniakea Beach a Marine Life Conservation District (MLCD), giving it the resources and management infrastructure that goes along with such a designation.

At this stage, what encourages me most are discussions between state legislators like Senator Gil Riviere and HTA that seem to be taking shape slowly now. This has never happened to my knowledge as it relates to Laniakea Beach and in my mind marks a small step forward in the right direction. This is because the tourism industry continues to take center stage in Hawai‘i and having HTA on board with actually managing – rather than simply promoting – tourist destinations is an important source of change. When and how this might materialize into action is unclear. Recent events at Laniakea Beach, in particular in August when a boy was critically injured after being hit by a car while crossing the road to see sea turtles, has reignited serious conversations between local representatives – notably Gil Riviere, Heidi Tsuneyoshi and Sean Quinlan – and HTA to appropriate funds from the semi-autonomous state agency specifically to alleviate the traffic situation at Laniakea Beach. There have been several North Shore Neighborhood Board Meetings about the Laniakea Beach issue. A neighborhood board meeting that occurred on Tuesday, July 28, 2015 offers some insight into the infrastructural and political challenges involved. Watch here (Laniakea discussion starts at 1:10:10 time mark): <http://olelo.granicus.com/player/clip/50509?> ) Going forward, I think it is important to support local legislators like Gil Riviere who has been working for over a decade towards getting HTA to actually prioritize adequately managing Laniakea Beach as a popular tourism destination. Currently, however, the discussion seems limited to a focus on reinstalling concrete barriers along the highway to funnel parking and any pedestrian traffic to one crosswalk managed by permanent traffic guard paid for by HTA.

Finally, some recent reports by Council member Heidi Tsuneyoshi on her rationale and proposals for replacing the parking barrier at Laniakea Beach:

<https://www.instagram.com/p/B2fwREajOeS/>

[https://www.youtube.com/watch?v=\\_dK1OriJ\\_TA](https://www.youtube.com/watch?v=_dK1OriJ_TA)

<http://www4.honolulu.gov/docushare/dsweb/Get/Document-240608/RES19-228.pdf>