

State of Hawai`i  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
Division of Forestry and Wildlife  
Honolulu, Hawaii 96813

May 5, 2010

Chairperson and Members  
Natural Area Reserves System Commission  
State of Hawaii  
Honolulu, Hawaii

Commission Members:

**SUBJECT: REQUEST FOR APPROVAL TO EXTEND ACCESS RESTRICTIONS TO PORTIONS OF `AHIHI-KINA`U NATURAL AREA RESERVE FOR A PERIOD OF UP TO TWO YEARS TO IMPLEMENT THE 2010 `AHIHI-KINA`U RESOURCE PROTECTION ACTION PLAN.**

BACKGROUND:

In 1973, `Ahihi-Kina`u was designated a Natural Area Reserve (NAR), making it one of the most highly protected lands under state jurisdiction. By law, all resources within the Reserve are protected from harm or disturbance. The NAR includes rare and endangered natural and cultural resources, including anchialine pool ecosystems, near-shore marine ecosystems, lava flow formations and their associated habitats, extensive intact Hawaiian cultural and historic sites, as well as remnant native coastal dry shrublands and forests. At the time the area had little or no visitation.

By April 2004, the growing numbers of people in the area led to user conflicts between the public and commercial activity, in particular, commercial kayak tours. Responding to concerns about unregulated commercial activity, the over use by the public and their effect on the highly protected natural and cultural resources found there, the Department of Land and Natural Resources (DLNR) formed the `Ahihi-Kina`u / Keone`o`io Advisory Group (AK/KAG) to provide advice on these issues and a public forum to help in management decision-making. After meeting with the AK/KAG, the Natural Area Reserves System Commission, and the public, the DLNR in 2004 prohibited all commercial activity in the NAR and neighboring Keone`o`io (La Perouse Bay). This decision was based on a DLNR Hierarchy of Use Policy (1998) which directs DLNR to protect the resources first, allow public use second, and allow commercial use third if it doesn't conflict or interfere with public use and resource protection.

Later in 2004, DOFAW secured a grant from the Hawaii Tourism Authority (HTA) to increase management capacity at `Ahihi-Kina`u. This grant funded two Rangers to support a dedicated on-site presence. A separate grant to the Hawai`i Wildlife Fund supported the presence of naturalists to provide information for visitors to the Reserve. During this time, human use studies a cultural resources study, and natural resources

surveys were conducted in order to document the health and status of the resources and any changes that may have occurred after the ban on commercial activity. These studies showed that user numbers did not significantly decrease after the ban and negative impacts to protected resources were still occurring.

In order to address the continuing concerns about resource damage and negative impacts by visitors, the AK/KAG then recommended restricting all public access to Cape Kina`u because natural and cultural resources were being trampled and degraded by misguided users who were hiking out on unmarked trails to go snorkeling. The NARSC approved of their recommendation and voted unanimously in 2005 to recommend to the BLNR an immediate restriction of public access to this area. Before this recommendation was forwarded to the BLNR, the Attorney General advised that the Department did not have the legal authority to take such action.

The NARS rules were amended, effective in January of 2007, and among other things, specifically authorized the Department to close areas or restrict access to protect natural, geological or cultural resources or public safety to portions of *or* an entire NAR for a period of up to 2 years.

On August 1, 2008, with approval from the NARSC and BLNR, staff restricted access to portions of `Ahihi-Kina`u NAR. During those two years, the 2008 Action Plan was implemented resulting in the successful execution of baseline surveys for geological, coastal, marine, anchialine, and cultural resources. Human activity was also monitored by on the ground rangers.

After analyzing the data from the resource surveys, it became clear that some of the resources in the restricted areas were showing an improvement. Endangered birds were utilizing areas of the reserve that they had never been recorded in, most likely due to the high human use before the restrictions. Breeding success showed improvement and new species of migratory birds appeared in the reserve for the first time.

Green sea turtles were also recorded basking on beaches in the restricted area on a consistent basis. Previous to the 2008 restrictions, turtles were never recorded in these popular recreational areas.

The surveys also revealed startling evidence of resources degradation that was previously unknown. New occurrences of coral and fish diseases were discovered.

In addition to conducting resource and human surveys, staff also worked with The Nature Conservancy of Hawaii to develop a long range management plan for the reserve. 10 meetings were held to gather expert input and suggestions. Although significant progress was made and a first draft was almost completed, more efforts need to be taken to finish the task.

## ANALYSIS

DOFAW supports the request for continued closure to portions of the Ahihi-Kinau NAR to allow time for completion of a General Management Plan and other objectives outlined in the attached Action Plan. The actions outlined and described are deemed essential to ensure the long-term viability of the unique high-quality ecosystems, geologic landscape and cultural sites found there as mandated by HRS §195-1. The most popular and well used portions of the reserve will remain open for use during visitor hours as they have for the last two years but, other more remote and sensitive areas will remain closed to the general public. How much and what types of human use to allow in the reserve that does not negatively impact the natural heritage resources found there will be noted, described and subject of the Management Plan currently under production. Due to the highly protective nature of the area, the uniqueness of the resources found there and the amount of visitor use, there is a need for adequate public review and input of the plan. Once completed, the plan will provide alternatives on how to preserve resources and provide for public access and use at the same time without diminishing the value of the reserve.

I recommend that we accept the Advisory Group request to extend the closure of the reserve. I look forward to discussing this request and alternatives at the upcoming NARS Commission meeting.

## RECOMMENDATION:

That the Board of Land and Natural Resources approve the proposed extension of the two year access restriction, pursuant to HAR § 13.209-4.5, to portions of `Ahihi-Kina`u Natural Area Reserve to allow the implementation of the `Ahihi -Kina`u Resource Protection Action Plan and the Management Plan from August 1, 2010 through July 31, 2012.

Respectfully Submitted,



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Division of Forestry and Wildlife

Attachments