

DRAFT MINUTES  
MEETING 60 OF THE LEGACY LAND CONSERVATION COMMISSION  
State of Hawai'i Department of Land and Natural Resources, Division of Forestry and Wildlife

**DATE:** FRIDAY, OCTOBER 12, 2018  
**TIME:** 8:45 A.M.  
**PLACE:** DANIEL K. INOUE INTERNATIONAL AIRPORT  
INTERISLAND TERMINAL CONFERENCE CENTER  
300 RODGERS BOULEVARD  
HONOLULU, HI 96819

**COMMISSIONERS PRESENT:**

Ms. Theresa Menard  
Mr. Thorne Abbott  
Mr. Frederick Warshauer  
Mr. William "Butch" Haase  
Mr. Jacob Tavares

**COMMISSIONERS ABSENT:**

Ms. Wendy Wiltse  
Ms. Kanoe Wilson  
Ms. Angela Hi'ilei Kawelo

**STAFF:**

**Department of Land and Natural Resources, Division of Forestry and Wildlife**  
David Penn (Program Specialist, Legacy Land Conservation)  
Lissette Yamase (KUPU)

**PUBLIC:**

Ms. Lea Hong (The Trust for Public Land)  
Mr. Gary Maunakea-Forth (MA'O Organic Farms)  
Ms. Laura Kaakua (The Trust for Public Land)

**MINUTES:**

**ITEM 1. Call to Order**

Chair Menard called the meeting to order.

- Public Notice (Sections 92-7, Hawai'i Revised Statutes)

Penn shared the steps taken to ensure that the Commission properly noticed the meeting. He directed everyone to a sign-in sheet for the meeting, which also has space designated to sign-up for meeting notifications.

- Introductions

Commissioners introduced themselves.

Penn introduced the meeting transcriber, Lee, and requested that each speaker first state their name, and talk loudly, clearly, and slowly in her direction.

Penn introduced Lissette Yamase as a new KUPU intern in the Division of Forestry and Wildlife and acknowledged her contributions to organizing and preparing for this meeting.

- Quorum (Section 13-140-12, Hawai‘i Administrative Rules)

Penn noted that the Commission, by statute, has nine members. Five members must be present for a quorum, and five votes are required to make a decision. Because five members are present, we have quorum, however we can only make a decision if it's unanimous.

**ITEM 2. Report from Permitted Interaction Group, Turtle Bay Makai – Kahuku Kawela Forever, Field Visit for 2018-2019 Debt Service Grant Application, Ko‘olaupoko, O‘ahu (Section 92-2.5, Hawai‘i Revised Statutes)**

- Commission packet contains the Department’s 2018-2019 application

Penn noted that the Commission packet is the 2018-2019 application previously distributed through Dropbox, with two hard copies available in the meeting room. During its last meeting, the Commission decided to form a Permitted Interaction Group for this field visit with Vice-chair Abbott as the leader, Commissioner Tavares, Commissioner Haase, and Commissioner Wilson (later excused from the field visit). Penn reminded the Commission that only members of the Permitted Interaction Group may deliver the report, without questions or discussion, and requested that the public hold off on testimony until Meeting 61 when the Commission’s decision on the application is on the agenda. Commissioner Abbott reported as follows:

Commissioners Abbott, Tavares, and Haase toured the area with The Trust for Public Land and the North Shore Community Land Trust (NSCLT). They noticed significant restoration of native vegetation in areas under NSCLT management and were informed that a monk seal and her offspring return annually to Keiki Beach. Albatross in the area produced two/three viable eggs which were transferred to Ka‘ena Point, but there are hopes of leaving some eggs on-site in the future so that chicks will imprint and return to that nest.

Kawela Point and Kawela Bay have been cleaned up quite nicely despite a lot of tidal erosion last year (lost probably a foot to a foot and a half in shoreline depth). The exposed roots of ironwood trees along the shore reflected impacts from the King Tides.

At Kawela Bay, the resort supplies rentals for water recreation. The resort is a great multi-recreational area and the group saw people horse-back riding, bicycling, swimming, stand-paddling, and running/jogging. Of concern were two signs about resort liability for mountain biking injury that were poorly written and unclear regarding authorization required from the resort to use trails for other activities. Commissioner Abbott recommended reaching out to the resort through The Trust for Public Land, or some other way, to tell the resort the sign is not appropriate for a publicly accessible area.

Commissioner Haase noted the high quality of that maintenance and care of the public access system and emphasized the high level of multi-use activities in the area. On the flip side the area

did not seem over used, which we see in a lot of our public access areas, and there is a very healthy balance between use and restoration.

Commissioner Tavares touched on the restoration efforts made within the past four years at surrounding areas like Kahuku Point. Restoration activities such as removing invasives and planting natives are helping to establish and enhance nesting areas for albatross and increase production of viable eggs. A big positive note is that community involvement has increased significantly, demonstrating positive community contributions to restoration and preservation of the Turtle Bay area.

Chair Menard called for public testimony, with none offered. Chair Menard directed staff to file to into the record Commissioner Abbott's picture of the Kawela Bay signage as reported above. Penn mentioned that Tanya Rubenstein, Forestry Program staff in the Division of Forestry and Wildlife (DOFAW), was present on the field visit and that he would check with her regarding the sign. DOFAW holds and monitors the conservation easement over the resort property (in partnership with the North Shore Community Land Trust), and assists the Department's Land Division with administering the lease-back of State land that the State acquired from the resort.

**ITEM 3. Adjournment**

Chair Menard adjourned the meeting.