

**2023 Legacy Land Conservation Commission Draft Minutes, Meeting 79
State of Hawai'i Department of Land & Natural Resources
Division of Forestry & Wildlife**

DATE: February 9, 2023
PLACE: Kalanimoku Building Boardroom, Room 132
1151 Punchbowl Street
Honolulu, Hawai'i 96813

And remote by interactive conference technology (online via ZOOM and by telephone)

COMMISSIONERS PRESENT:

Mr. William "Butch" Haase
Mr. John Sinton
Mr. Patrick Hart
Ms. Beryl Blaich
Ms. Christiane "Kauai" Lucas
Ms. Kim Falinski
Ms. Kanoe Wilson
Mr. Jacob Tavares

STAFF:

Department of Land & Natural Resources

David Penn Program Specialist, Legacy Land Conservation Program,
Division of Forestry & Wildlife
Van Matsushige Project Development Specialist, Land Division

PUBLIC:

In-Person

Reyna Ramolete Hayashi (Trust for Public Land)
Adam Aka Wedemeyer (Trust for Public Land)
Kamuela Ka'apana (Trust for Public Land)
Dean Wilhelm (*Ho'okua'āina*)
Michele Wilhelm (*Ho'okua'āina*)
Lei Wann (*Kamealoha*)
Kazu Akiona-Bannan (*Ho'okua'āina*)
Mark Kunimune (*Ho'okua'āina*)
Vance Kaleohano Farrant (*Ho'okua'āina*)
Deborah Pope (*Hui Maunawili Kawainui*)
Barbara Pope (*Hui Maunawili Kawainui*)

ITEM 1. Call to order

Chair Haase called the meeting to order with the sounding of the pū at 9:31 AM. Chair Haase started the roll call with Vice-Chair Sinton confirming that all eight (8) commissioners were present. Chair Haase acknowledged the DLNR staff present and explained the remote meeting procedures. Review of the decision-making process was summarized by Chair Haase. Agenda Item 1 was open for discussion amongst the commissioners. Having no discussion or questions, Chair Haase asked the public for any testimony. Seeing none, Chair moved on to Item 2.

ITEM 2. Fiscal Year 2023 applications for grants from the Land Conservation Fund – Presentation of Field Visit Reports from the Permitted Interaction Group pursuant to subsection 92-2.5(b). HRS, paragraph (1), each Permitted Interaction Group will present findings and recommendations on the application that it investigated. Commission deliberation and decision-making on each application investigated will not occur until Meeting 80 of the Commission, scheduled for February 9 at 11:00 am and continuing on February 10 at 8:30 am.

2.A. *Ua Mau Ke Ea* requesting \$1.5 million to acquire approximately 1.478 acres at *Hoku Ula Loko I'a Heiau*, District of Hāna, Island of Maui, TMK (2) 1-4-008:001

Chair Butch Haase as group leader reported for the Permitted Interaction Group who was accompanied by commissioners Kim Falinski, Pat Hart and Jacob Tavares. Representing the primary applicant Pat Caires and Sharon Mynar led the field visit. Dr. Leo Caires joined by phone to provide additional information about the property and other aspects of the acquisition.

- Located on the west side of the fishpond at *Haneo'o* where the applicant's family owns rights to the historic fishpond.
- Historical sites include a *heiau*, bird sanctuary and a large fishpond complex which the community depends on for subsistence.
- It was noted that the applicant's family has ownership rights over the fishpond connecting them to the property.
- The original fishpond wall was mostly scattered along the shoreline from constant wave destruction.
- Pat highlighted that building permits were applied for in the past but declined by the Maui Planning Commission with strong opposition from Hana community members.
- As shown in the photos of the report, the grassy area is well maintained and free of any trash or debris.
- Existing structures stand on the property. Dr. Caires noted that those could be removed after the acquisition.

2.B. *Ho'okua'aina* requesting \$2.9 million to acquire approximately 116.49 acres for *Pālāwaj*, District of Ko'olaupoko District, Island of O'ahu, TMK (1) 4-2-006:008, (1), 4-2-007:001, (1) 4-2-008:001.

Commissioner Jacob Tavares as group leader reported for the Permitted Interaction Group who conducted the field visit with commissioners Beryl Blaich and Butch Haase. DLNR staff Van Matsushige also accompanied the commissioners. Leading the field visit was *Ho'okua'aina* founders and directors Dean and Michelle Wilhelm as well as some of their current and past youth volunteers. Also joining was the community action group *Hui Maunawili Kawainui* members Barbara and Deborah Pope and Trust for Public Land (TPL) staff, Reyna Ramolete Hayashi, Kamuela Ka'apana and Aka Wedemeyer.

- The group spent the first 45 minutes under the traditional *hale* (completed in 2021) that sat in the middle of the *Lo'i* for self-introductions, background information about the property and work carried out on the current property.
- The densely covered area was cleared by hand over the years creating *Lo'i* from the existing spring water that flowed throughout the property. The *Ae'o* (black necked stilt) and '*Auku'u* (black crowned night heron) were seen in the *Lo'i*.
- Approximately 5 acres were eventually cleared with about 3 acres dedicated to commercial *kalo* cultivation.
- The non-profit organization is committed to workforce development and created a structured training program to teach career and leadership skills.
- The field visit included a detailed history of the Maunawili area by Barbara Pope. At her home where she described the ownership and land use from its origin to the present, the subject property, *Pālāwai*, could be seen.
- The subject property was a 15-minute walk from Ms. Pope's home. Though overgrown with invasive vegetation, running streams and even an archaeological site was observed. There were no structures or illegal dumping, so most of the work would be clearing and prepping the area for agricultural development.
- Dean commented that plans for the property were to clear the area using heavy machinery and cultivate *kalo*, banana, *ulu* and other food staples creating an economically and ecologically sustainable food production system.

2.C. Department of Land & Natural Resources, Division of Forestry & Wildlife requesting \$650 thousand to acquire approximately 642.46 acres for *Makolelau* 5th parcel, District of Kona, Island of Moloka'i, TMK (2) 5-7-002:011.

Chair Butch Haase as group leader reported for the Permitted Interaction Group who conducted the field visit with commissioners Kanoe Wilson, Kauai Lucas and Jacob Tavares. Leading the field visit was James Espaniola from the Department of Land & Natural Resources (DLNR), Division of Forestry and Wildlife (DOFAW), Native Ecosystems Protection & Management Program (NEPM), Justin Luafalemana, DLNR DOFAW and Russell Kallstrom from The Nature Conservancy (TNC).

As an employee of TNC, Commissioner Kim Falinski recused herself and left the DLNR boardroom.

- The team was shuttled around in trucks using the rocky dirt access road stopping at a flat area on the side of the mountain where views of the western drainage and a *wiliwili* grove covered the area.
- The property is part of an existing East Moloka'i Watershed Partnership the connects other parcels creating over 13,500 acres of managed and protected lands on the south shore of the island.

- Large herds of axis deer were seen grazing near a goat herd. Vegetation in this area was thinning exposing the topsoil in many areas. Since the previous owner didn't allow aerial hunting, these animal populations exploded.
- The indigenous *Naio* (false sandalwood) were growing in the area where it normally thrives (dry forest areas) which is rarely seen mostly due to the feral animal population.
- Some native seedings have been started by TNC that included *A'ali'i* (broadleaf hopbush) and *Ko'oko'olau* (species of flower shrub).
- Upon completion of the acquisition, DLNR DOFAW priorities include development of a detailed management plan. The plan will include future work to improve the existing access road and create a firebreak. To facilitate restoration, construction of a hooved animal-proof fence, outplanting of native species and invasive species control are also planned. Ungulate management will improve erosion control and aid in the recovery of the ecosystem.

2.D. *Kīpuka Kuleana* requesting \$1.845 million to acquire a conservation easement over approximately 4.26 acres at *Kamealoha Kuleana*, District of *Halele'a*, Island of Kaua'i, TMK (4) 5-9-003:009, (4) 5-9-003:043

Commissioner Kanoe Wilson as group leader reported for the Permitted Interaction Group who conducted the field visit with commissioners John Sinton and Kauai Lucas as well as DLNR staff David Penn. Lei and Preseley Wann of the Limahuli Garden and Preserve, *Kīpuka Kuleana* staff that included Mehana Vaughan, Tina Aiu, Elif Beall, Sarah Barger and Trust for Public Land (TPL) staff Reyna Ramolete Hayashi and Kamuela Ka'apana.

Commissioner Kim Falinski returned to join this presentation.

Prior to starting the presentation, commissioner Beryl Blaich recused herself and left the room as her daughter is a board member for *Kīpuka Kuleana*.

- Video about the property and surrounding area was played as an introduction to the historical significance of the area as one of the last undeveloped parcels on the north shore of Kaua'i.
- Located across the street from Limahuli Garden and Preserve, many of the *Kamealoha Kuleana* parcels are still held by lineal descendants.
- Numerous native and endemic species are found across the subject parcel such as *Pāpala* (amaranth plant), *O'opu* (goby fish), *Opae* (brackish water shrimp), *Hīhīwai* (brackish water snail).
- Cultural and historical sites include *Iwi kūpuna* burial sites, home of a 'Ōahi teacher, Alexander Hailama. At the base of the property is a traditional canoe landing. The 'Auwai system is still intact and feeds into the *Lo'i kalo* terraces.
- Led by *Kīpuka Kuleana*, schools have participated in educational programs teaching cultural practices and utilization of resources for subsistence farming and fishing.
- The prominent peak on the property is called *Makana* where the 'Ōahi would scale the mountain to launch the firebrand (Ignited *Pāpala* plant acts a fireworks).
- The vision for this area is growing food for the community and developing the native agricultural practice with the next generation. 'Āina based learning is an educational model that the group intends to continue to extend to the community.

- Land value of adjacent lots have doubled over the last year. There has been interest to purchase the land. The current owners that comprise ownership of the subject property intend to protect it from development through a conservation easement.

2.E. *Kauluakalana* requesting \$1.56 million to acquire approximately 59.27 acres for *Makali'i*, District of Ko'olauloa, Island of O'ahu, TMK (1) 4.2-006:001, (1) 4-2-006:008.

Commissioner Kauai Lucas as group leader reported for the Permitted Interaction Group who conducted the field visit with commissioners Kim Falinski, Beryl Blaich and Pat Hart. DLNR staff Van Matsushige also accompanied the commissioners. Hosting this field visit included *Kauluakalana* founders Kaleo Wong (Executive Director) and Maya Saffery (Board President) and some of their staff. Trust for Public Land (TPL) team Reyna Ramolete Hayashi, Kamuela Ka'apana and Aka Wedemeyer. Barbara Pope represented the community action group *Hui Maunawili Kawanui*.

Commissioner Beryl Blaich returned to join this presentation.

- Since 2019 the property *Kauluakalana* has been stewarding the property known as *Kūkanono* located within the Kailua YMCA property adjacent to the *Ulupō Heiau* where traditional Hawaiian agricultural production has been restored.
- Prior to walking the property, an *oli* or chant was performed from the guests to the host and host to the guests. Members also presented a brief self-introduction.
- *Kauluakalana* staff gave a brief tour of *Kūkanono* and explained the restoration work that transformed the densely covered area where it was used for illegal dumping to the thriving *Lo'i kalo* terrace as well as other agriculture such as *ulu*, *niu* and banana trees.
- *Kauluakalana* has provided access to the community including schools to learn native agricultural practices through active participation.
- The field visit continued to the subject parcel, *Makali'i*, located about a mile away on Loop Road which is the entrance to the Royal Hawaiian Golf Club.
- Barbara Pope provided an in-depth history of the area that included ownership changes and land use throughout the past century.
- Over the years subdivision applications for residential development were submitted by HRT Realty (subsidiary of the Harry and Jeanette Weinberg Foundation). The community group, *Hui Maunawili Kawanui*, which Ms. Pope is a founding member of, worked with TPL to convince HRT to conserve the property in perpetuity.
- Part of the property has become a dump site with abandoned vehicles and mounds of trash. At the time of the field visit, HRT was working to remove the debris.
- A hike along the ridge that comprises the southwest border of *Makali'i* provided a view of the subject property and the areas that border it.

Chair Haase opened public testimony for Items 2.A. to 2.E. No public testimony was given in person or online.

ITEM 3. ADJOURNMENT

Commissioner Lucas motioned to adjourn the meeting. Commissioner Wilson seconded it. Motion carries unanimously. Chair Haase adjourned the meeting at 11:37 AM.

Chair Haase noted that Meeting 80 will commence at 11:47 AM.

DRAFT