

Forest Stewardship Advisory Committee Meeting

Hilo, HI 9/29/06

MEMBERS PRESENT:

Mike Tulang (Chair), Rebecca Alakai, J.B Friday, Kip Dunbar, Craig Rowland, Laura Brezinsky, Katie Friday (for Forest Service's Pacific Island Forester), DayDay Hopkins, Lea Hong (for Josh Stanbro), Bill Cowren. **Members Absence:** Bob Joy, Bill Sager, Betsy Gagne **Staff:** Sheri Mann, Melissa Sprecher, Roger Imoto. **Visitors:** Bob Jacobson, Molly Schmidt, David DeEsch, Jonathan Scheuer, briefly Rick Warshauer.

SITE VISIT:

9:30am - Jennifer Higashino's land, which is a possible future Forest Stewardship project site. This land is 24 acres mauka (5 miles) just past the bridge outside of Hilo headed towards Hamakua. Jennifer plans on submitting a proposal for FSP funds in the coming future.

VIDEO:

12:15pm - Watched the Punalu'u video provided by Bob Jacobson. A number of people in the Puna area and across the State are interested in acquiring Kawa'a & Kawa'a Bay and Punalu'u in order to keep these areas open to the public and not developed into hotels and condos. Prior to watching the video Bob spoke to the group about the importance of these parcels and provided some background information pertaining to them. Rick Warshauer (USGS BRD) provided some biological and geological information in support of keeping this area undeveloped.

12:30pm

MEETING CALLED TO ORDER:

OLD BUSINESS:

Meeting minutes June 2, 2006. Motion to accept the minutes. Moved by Hopkins, seconded by Dunbar. Passed unanimously.

Lisa Ferentinos has taken a new position at Kokua Kalihi Valley. She is currently working on the pending FSP management plan and will bring it to the Committee by the next meeting. Amendments to the exact location of the FSP project areas are being made.

NEW BUSINESS:

Traditional Trees of Pacific Islands. Edited by Craig Elevitch. New resource book available at Costco now for \$40, but will be \$70 soon.

Pacific Island Roundtable/Biodiversity Strategy – See attached trip report.

Comments

- J. Friday: Will this be building on work on others involved? (SPREP)
- Reply from Mann: Yes, the South Pacific Regional Environment Program SPREP (<http://www.sprep.org.ws/sprep/about.htm>) is one of the leaders in this effort along with United Nations via the Global Environment Facility (GEF) [<http://www.globaleenvironmentfund.com/>], the Roundtable for Nature Conservation in the Pacific Island Region (Roundtable) [<http://www.sprep.org.ws/roundtable/>], the Pacific Island Forum (PIF) [<http://www.forumsec.org.fj/>], the Foundation of People of the South Pacific [www.fspi.org.fj], and the University of the South Pacific [<http://www.usp.ac.fj/>], as well as numerous governmental and non-governmental donors.

Update on FSP Contract lengths:

The TNC management plan for Honomolino was proved by this Committee last year. However, due to contracts lengths (minimum of 30 years), TNC has pulled the application. Kamehameha School (Ola'a Kilauea) has also pulled their application. A board submittal for FSP contracts lasting as little as 10 years and negotiable up to 10 to 30 years is being assembled, which is actually an amendment to the Board action taken in May 2002 submitted from this Committee asking to increase minimum FSP contract lengths to 30 years.

Comments:

Dunbar and Brezinsky agreed with reduced contract lengths. Most agreed that it is not worth keeping this language at the risk of losing clients in the program. Will keep the 30 years wherever possible but reduce the length where needed.

Defining maintenance in the handbook:

New language has been drafted defining maintenance –

“Participants are required to maintain cost-shared improvements for at least ten years following installation. “Maintain” means the improvements will not be willfully removed or destroyed and routine maintenance will assure that under normal conditions the improvements will serve the purpose intended. Details are given under each relevant management practice description below.”

Comments/Discussion:

- The committee needs to make sure that tree farms do not become an expensive landscaping effort that the landowners can turn around and sell their land at higher costs due to tree values. This has not happened yet, but we should be aware of it.
- Does it spell out the maintenance requirements in the language of the handbook?
- Yes, the words say that we will work with the landowners on time requirements
- Fences, for example, do not last for more than 10 to 15 years, and landowners should not have to include re-fencing in their management plans.
- Why should management plans be in place for 30 years?
- 30 yr contracts for timber projects are a good idea but for other projects it is not necessary.
- K Friday would like to have a copy of the updates handbook that was put before the Board.
- Does the State have the resources to enforce and watch over the Forest Stewardship projects for the long time period?
- There are legal regulations in place, but realistically it is difficult to enforce. DOCARE officers and service foresters have the responsibilities to check up on the landowners.
- Examples of landowners who have sold their land and the new owners kept up with the management of land were presented.

- TNC has not been taking money from the Stewardship Program in this fiscal year and they would like to handover their lease on Honouliuli to a willing land manager who can take over their FSP contract duties. DOFAW will likely pursue TNC's reimbursement for the FSP if they do not find a new lessee, or unless the new owner (the land is owned by Campbell and is for sale) is the State, which is being pursued.
- There is language within the FSP Special Conditions within all contracts that relates to ramifications if a project does not take monies from the program. DOFAW is ok if this happens if there is a natural disaster or there is a sickness in the family, but not simply because TNC's global areas of focus have changed. The Committee should look into tightening the language, i.e. if monies are not taken for three years due to...

Motion: To accept the new contract length and language regarding maintenance that was recommended by the subcommittee (Mann, Dunbar, and Brezinsky). **Moved by Rowland, seconded by J Friday. Passed unanimously**

Forest Stewardship Committee Membership Structure

It is the recommendation of FSP staff to keep the members of the FSP Committee on a two-year rotation, following which time a member would have to reapply along with any new applicants if he or she would like to stay on the Committee for a second or third two-year period. The open position would be advertised to new agencies, the public, etc. Additionally, the available position should be for individuals and not agencies, and no agency should have a lifetime membership. This would allow for different agencies and individuals to be a part of the committee that have an interest but have never served on this Committee.

Comments/Discussion:

- Thank you for including the rules/laws that relate to the Federal and State Forest Stewardship Committee. The Committee needs to keep up with the regulations that are laid out in the laws. The agencies included in the list referred to in the laws should have a lifetime membership and all other individuals should be rotational.
- The State rules do not indicate that specific agencies will have a permanent position on the Committee. This is evident by the fact that Farm Services has never been on this Committee. Other agencies that are not on the list (TNC, NOAA, Dept of Health, EPA – all of which provide landowner assistance funds for restoration or conservation to private landowners) should have the opportunities to be a part of the Committee. The structure proposed outlines more closely and follows all of the State Commissions and the rules for the State FSP program. Minimal amounts of Federal FSP monies are used to actually run the State FSP program; therefore following Federal FSP rules does not seem to be as important as following State rules.
- The Committee should comply with the federal rules/laws as this Committee oversees the Forest Legacy Program, which provides federal funds.
- The committee should put out a request to allow other agencies to be included.
- Language should say agencies and companies, etc
- The rules as outlined are very vague as to the requirements
- The agencies that are omitted from Committees, for example islands that do not have the agencies within their borders, are allowed to factor out the listed agencies. The Committee should consult with Sandy at Forest Service Region 5 to see how they interpreted the rules/laws.

- Hawaii has Farm Services and yet they are not mandatory members of this Committee. The Committee should vote on the purposed length term for members and then follow up on research with the federal government and related other agencies.
- A cross section of individuals and agencies is always more beneficial.
- The Committee needs to make sure that the rules are followed so Hawaii does not lose funding from the Federal Government.
- The Forest Legacy Program has been very good about getting money for Hawaii projects; there is the possibility to have two different committees.
- There is no need to have two committees, the staff would just like to open up Committee positions to a wider pool, and not have any positions that are mandatory for specific agencies.
- The rules do not say not to allow for others to be apart of the Committee. A call should be placed to Karl Dallarosa to clarify.
- The FSA needs to have a request to allow other agencies to be a part of the Committee.
- Could consider adding language to clarify or to allow Exoficio members?
- How many people allowed on the committee?
- Committee allows for 13 members.
- The terms should be clarified and whether or not positions are allowed to be repeated. Also, should include wording as to the ramification on member should they be absent for a number of Committee meetings. Sheri should draft up some bi-laws for the Committee to review.
- Is Lea Hong officially on the committee, in place of Josh Stanbro?
- Lea Hong's official position is unknown, but that is how the topic was started.
- The issues are understood, and it seems that the federal government requirements should be addressed before further discussions.

Mann will contact Sandy Stone and Karl Dallarosa to clarify Federal rules for this Committee. She will also draft bi-laws that will more clearly describe the rules and structure we will follow. May not be in time for the next meeting in Dec. though?

Na Leo o Ka Aina (DOFAW bi-annual) Newsletter / Malama MAUNA KEA Newsletter

Committee members who are interested in receiving the newsletter should provide there information to Sheri.

Forest Stewardship Mgmt Plans

Kealakekua Draft Management Plan

This draft management plan is not a final submittal. The applicant would just like some guidance on where plan is lacking.

Comments/Discussion:

- The plan needs a larger map. The plan does a great job of addressing the concerns of the project and is realistic in their project goals. What happened to the acres of Koa that were planted 15 years ago and where are they located? There should be an inventory of the planted Koa. The controlled grazing for scarification, will this be enough to generate species? Toon and koa are good species, but the applicant should look into eradicating the tropical ash from the project site. Tropical ash is known to be invasive.
- The controlled grazing alone is not enough of an effort to produce scarification results.
- Where is the ungulate fencing going to be located and where is the fencing for horses?

- On page 6 of the plan, what is the situation of the two ranches adjacent to the project site? It is unclear to how these ranches influence the project. Who will be doing all the work included in the plan and where is all the money coming from?

First FSP Time Proposals:

PORTER PROPOSAL

DOFAW staff has not had the opportunity to make a site visit to the proposed project area.

Comments/Discussion:

- The proposal does not say how large the parcel of land is.
- Where is the project located?
- Are any of the proposed planted species invasive?
- Big Leaf Mahoney is a non-native but is not classified as invasive. J. Friday had the opportunity to discuss the plan with Amanda Spitzs. The project looks to be on a similar scale/line to other projects on Kauai. If the proposal is correct on the terms and projected numbers, the project should be financially viable. However, the applicant's proposal appears to be rather optimistic.

Motion: To invite the applicant to write a full management plan. Moved by K Friday, seconded by Hopkins. Passed unanimously.

SCHIRMAN (Hui Ku Maoli Ola) PROPOSAL

DOFAW staff has not had the opportunity to make a site visit to the proposed project area.

Comments/Discussion:

- There are a lot of species listed in the proposal.
- The proposal does not say who the owner of the land is?
- It is under a long-term lease, but does not say how long the lease is for or whom the lease is under?
- We will need a letter from the property owner in order to proceed with the project.
- Where is the property located exactly – need better maps (larger and more focused)
- Does DOFAW or Forest Stewardship Program have a threshold for invasive species removal?
- A threshold does need to be figured out for some sites. (Remember proposal Penny Levin submitted)
- Sites that have a high amount of invasive spp. should still be included in the program, and they could be viewed as an opportunity to learn from.
- The estimated costs in the proposal are unclear and appear to be way too low for the clear/weed control. The number should look more like 2000 not 200 an acre.
- The numbers included in the proposal were probably created from the Forest Stewardship Handbook.
- Where is the rest of the money for the project going to come from? Before the Committee can approve the proposal, there needs to be some discussion of the cost-share numbers.
- There appears to be a lot of work going into this project. The landowner may not understand how difficult the work involved will be. The numbers in the proposal do not look realistic.
- Need a site visit before we can fully approve plan.
- Is the land by the nursery that provides for Home Depot's garden?
- If the applicant is going to use fences, they need to get a permit due to the conservation district zoning.
- The proposal should include the supporting letters from the landowner and other supporting organizations that will be involved in the project.

Motion: to invite the applicant to prepare a management plan after 1) the applicant provides documentation confirming the lease and landowners approval, and 2) staff discusses the cost of the project being unrealistically low. Moved by K Friday, seconded by Cowern. Passed unanimously.

Legislative Report

The legislative report will look similar to the one submitted last year with a few additions in the handbook and the issues put forth in the board submittal.

Comments:

- J Friday would like a copy of the legislative report with all the Forest Stewardship project names, applicants, and total number of acres included in the program.

House Concurrent Resolution 200

DOFAW staff wanted to share the ideas presented in the resolution to the Committee. The Resolution was explained and any input from the Committee is welcome as well as any additional reference or information sources.

Comments:

- How and where did this resolution start? Senator Kokobun
- There was/is a lot of discussion after the dam broke on Kauai this last year; where maintenance is needed to protect the makai landowners, the mauka landowners are responsible for all the costs. The burden fell entirely on the mauka landowners, where the makai landowners held the benefit. This issue would be helpful to bring in the issues to a monetary value.
- The property taxes are regulated by the county, thus the State needs to work with counties when deciding on tax incentives with this resolution.
- The State has the authority to direct the county with their issues.
- True, but the counties still needs to be included in discussions.
- There are a lot of places to collect monies, ie: permits, etc.
- Some of the older countries (Europe) already have a system in place that relates to environment economic value.
- Half of the income for the state comes from the benefits provided by the mauka lands. It will be good to provide the mauka landowners with an ecosystem value to their land.

FY 08 Yee Hop Forest Legacy Proposal

This application was described by Mann with some input from Imoto. It is the State's number one priority as long as the owner, Dickie Chun, decides to sell to the State.

Comments:

- The road access to the current forest reserves adjacent to the Yee Hop land parcels is very limited. Having the land parcels included into the Forest Reserve System will allow for easier management of the land area as a whole.
- TNC is interested in being involved in the land transaction as well. They are interested in the two addition land parcels owned by Yee Hop. However, Mr. Chun has not had good dealings with TNC in the past. The State would like to bring in HILT or ILT to deal/work with Dickie. However, the Forest Legacy Program does not allow for title to be held by anything but a State

entity. The other programs that are funding the land acquisition do allow for the title to be held by another entity besides the State. The title could possibly be held by another entity on a temporary basis in order to appease Mr. Chun.

- Would Mr. Chun be apposed to the title being held by the county and the State would manage it.
- Mr. Chun does not want to deal with any form of the government, at all.
- It is fairly common to have a temporary title ownership.
- The State believes that either HILT or ILT both could be good alternative to work with Mr. Chun. A non-profit would be better to deal with Dickie.
- The land acquisition is important and needs to be acquired before the opportunity disappears. Mr. Chun is the one that need to deal with to accomplish the acquisition.

Motion: To accept the project into the Legacy Program. Moved by Hopkins, seconded by Rowland.

Additional Comments:

- If Forest Legacy would deal with a nonprofit, can the application be put through without knowing who will hold the title?
- Yes, the application can be submitted without a clear titleholder.
- An additional threat should be added that the landowner is elderly and willing to sell. Thus all the land could go up for sale once he passes.
- What are the others threats that the Forest Legacy focuses on?
- The potential for zoning changes, as zoning can be changed for any number of reasons, ie: political involvement.
- A map that is pulled back to show the whole island would show the importance of this acquisition.
- The application could be beefed up with some additional stats.
- The State would like to get a timber value into the appraisal but it is up to the appraiser.
- I would not count on getting an appraisal with a timber value; it would extremely inflate the price of the land. Plus the land parcels are in the Conservation District.
- True, but that is why it is up to the appraiser. There is a likely hood that it will not be included in the appraisal value.

Lea Hong – Excited to be a part of the committee and interested with the application, but finds that she has a conflict of interest. Thus she will not vote on the matter.

Passed unanimously, Hong sustained.

Na Wai Eha Forest Legacy Proposal

Jonathan Scheuer (OHA) – OHA has continued to work on the application. The land area proposed for acquisition was formerly sugar land. The landowners have implemented several water diversions, which have caused serious problems with stream habitat integrity and flow downstream. The land and water company (private water companies) is currently up for sale. A number of legal actions have been brought in relation to the surface water and groundwater rights. OHA, county, and community groups have found that they have a lot in common and have decided to withdraw the suits if the county decides to purchase the land and water rights. Thus the county has set aside 7.2 million dollars to acquire the land, which will probably be appraised at a higher value; therefore, providing the need for additional funds. OHA will keep everyone up to date with this issue and current information. There is support from the council and the mayor for long-term protection for the Maui water resources.

Comments/Discussion:

- The area is very important to own, but the new landowner would have to deal with all the lawsuits and potential future lawsuits from the dangerous topography. There are potential rock falls and hiking danger throughout the land area. Everyone supports the acquisition but no one has stepped up to hold the title.
- A new election year is quickly approaching and the funds set aside by the county could change.
- The money could be found by taking half of the money and put it into hydropower, and then use the money generated to fund the project.
- OHA and the county are open to other uses once the streambeds and everything else is in place.
- In Maui water has always been a problem. The politics will follow this water issues no matter who is elected. To see the commitment of 7.2 million dollars is huge and it shows what the people want.
- A number of different Mayors have tried to do this acquisition, and now the county is at a point that they do not have any other options as a solution. It is the time to deal with it.
- Where are the other funds for the acquisition coming from?
- OHA originally wanted 4 million dollars from Forest Legacy, but that amount from the federal fund is high so the amount was split to the Forest Legacy and Land Legacy Funds.
- The amount of 11 million dollars is a guess compiled from partially from the water company estimates. The landowner says that the land is worth 28 million dollars, but they will sell the land for less. The amount is a soft number until the appraisal is done, but the funds to do an appraisal are already available.
- Is there water directed to irrigation?
- Some of the land is still in sugar cane and accounts for some of the water use. Most of the irrigation is dumped by putting it over grass area.
- Where does OHA play in with the title that is up in the air?
- Everyone has been working together in this project, and once the true number is known through the appraisal and the election has passed; the question will be who will be best able to managed the land in cooperation with Maui Water.
- Title can be held by OHA under the Forest Legacy Program.
- Would it be possible for a tribal group to hold the title of the land under Forest Legacy?
- Yes, it is possible if that group has some officially recognized status by the Federal government. Don't believe that exists in Hawaii – yet?

Motion: To approve the Na Wai Eha Proposal into the Forest Legacy Program. Moved by Cowern, seconded by Alakai. Pass unanimously.

Committee Rank of the Forest Legacy Proposals

The proposals were ranked by Committee members placing their top choice on a piece of paper. The rankings were turned into the Melissa Sprecher to count the Committee's vote. The top choice was then announced. The Yee Hop proposal received five total votes. Na Wai Eha proposal received three total votes.

Committee vote: The Yee Hop multi parcel acquisition proposal on Hawaii Island was ranked number 1, and Na Wai Eha in Maui was ranked number 2. The Committee recommends that both of the proposals be submitted to the Western & National Forest Legacy Program for review and ranking.

Various other topic discussion:

J Friday recommends that updates are included in the Committee meetings on current Forest Stewardship projects that have been recently visited by Committee members.

- **David DeEsch introduced the property in North Hamakua** that one of the landowners (John Lindelow) plans on bringing to the Forest Stewardship Committee in the future. The property is owned by three people who live on Oahu. Currently, there is a community center located on the property which a retreat and offers yoga and organic gardening. The goal of the project is to reforest the land and provide a picture of a “walking softly” lifestyle. There is forest with many ohia trees and cattle have been removed from the project area for the past 15-years. About 13-years of fencing has kept ungulates out and allowed the koa to regenerate very successfully. The land area total 24 acres and the proposed project for Forest Stewardship will include 12 of those acres. David will provide a project proposal for the next Committee meeting. A proposal was sent to Mann after the meeting and is being reviewed to provide comments so they can put a proposal into the Committee at our next meeting.

- J Friday provided an **update on the Umikoa Ranch** Forest Stewardship project. The koa trees are doing well and thinning will be happening soon. The landowner did not say that the surrounding Forest Reserve trees were still encroaching onto the land, so no effort has been made to keep non-natives on Forest Reserve off of Umikoa Ranch land. The landowner has some grazing in on the land, which Stanford University is conducting scarification research on. Images from the project site are posted on the internet, and can be found by using Goggle Earth search engine.

- Mann still has no word on the US Congresses national budget – within are the **FY 07 Forest Legacy Kealakekua Ranch and the American Samoa Lowland Lava Rainforest applications.**

-**Logos** were provided for the Committee members and t-shirt designs were passed around. Ron Walker did all of the design work on the logos for both the Stewardship and Legacy Programs.

Bob Jacobson provided a video and handouts on potential land acquisitions around Punalu’u and Ka’a’awa area.

Comments:

– Mann - Jacobson needs to provide the answers to the ten question that were provided to Bob prior to the Committee meeting in order to see where the acquisition could fit into different programs.
– Jacobson will provide the documents for the two main parcels that are approximately 230 acres. The community would like to buy the land so that it does not go to development. However, there are no forests within the land area.

Mann – There is a possibility to work with a non-profit on the acquisition and Land Legacy Conservation Funds is the most likely to fit into the scope of the acquisition.

– Mann updated that **Castle and Cooke** on Lana’i have not been invoicing for their stewardship project. DOFAW staff will look into the situation further.

The next Committee Meeting will be held in two months, December 1, 2006, in Kaua’i. Moved by Friday, seconded by Hopkins. Passed unanimously.