

Forest Stewardship Advisory Committee (FSAC) Meeting

U.S. Forest Service
Institute for Pacific Island Forestry
60 Nowelo Street
Hilo, Hawaii 96720
9:30 am, January 24, 2014

Committee: Alvin Kyono (Chair), Benton Pang (Chair-elect), Betsy Gagne, Michael Constantinides, Koalani Kaulukukui, Katie Friday, J.B. Friday, Greg Hendrickson, Laura Brezinsky, Nicholas Koch

Staff: Irene Sprecher, Malia Nanbara, Nicholas Joly, Don Yokohama

Guests: Grant Kow, Kristen Kiri, Connie Laumann, Pat Tummons, Suzanne Wakeliu, Paul Kuykendall, Elizabeth Green, Ric Lopez

1. Call to Order: Chair Kyono called the meeting to order at 9:36 a.m.

2. Meeting Minutes:

The following corrections were made regarding the prior meeting minutes from the Forest Stewardship Advisory Committee (FSAC) meeting on September 24, 2013.

- Member Koch stated that “fencing” is misspelled on page two.
- Chair Kyono stated that Member Pang’s name is misspelled in the first table on page five.
- Member J.B. Friday stated that “ko” should be replaced with “kou” on page twelve paragraph three
- Member Constantinides stated that use of the word “arena” on page three is unclear. On page four- paragraph one replace “will be lost” with “could be lost”. The reference to fence spacing on page ten, number one is unclear. The reference to funds on page ten is unclear; it may refer to CREP funds. On page seven “zoned protected” should be replaced with “conservation subzone protected.”

Motion to approve the September 24, 2013 FSAC meeting minutes as corrected. Moved by Member Pang; seconded by Member Constantinides.

Approve: Kyono, Gagne, Kaulukukui, K. Friday, Hendrickson, J.B. Friday, Brezinsky, Koch; Oppose: None; Abstain: None. Unanimously approved.

3. Forest Legacy Program

- Staff Sprecher informed the Committee on updates regarding Forest Legacy Projects. She stated there is no movement on Kuka’iau Ranch Forest Legacy conservation easement project at this time. Member J.B. Friday asked if final approval of a conservation easement is contingent upon DOFAW decision to accept or not accept the easement. Staff Sprecher replied, yes, that the landowner and Division must agree on the terms of the easement before it can close. Member Hendrickson elaborated on the issue -the senior generation is still alive but not capable of making decisions. This causes complications, as more stakeholders need to participate for decisions to be made.
- Staff Sprecher stated the Ka'awaloa Hawaiian Forest (KHF) conservation easement is moving along well. She is currently working with the landowner to move forward on due diligence and hopes to close in spring. The Committee previously reviewed the forest

management plan for the project, and requested some additional information on the management actions.

- Staff Sprecher explained that FY14 projects did not make the national list for funding. Hawaii has a number of open grant projects under the Forest Legacy Program that need to be closed and this could be impacting our ability to compete nationally. Also the cost per acre in Hawaii is higher than other projects on the U.S. mainland and this could be influencing how we compete as well. Member K. Friday recommended that the projects work to bring the proposed projects to a higher readiness by next year.

- Staff Sprecher added, the state is still very interested in the FY15 Forest Legacy projects, including Helemano Wilderness Reserve and Ho‘omau Ranch. The State will continue to work on these two projects. Projects may reapply in a future year for funding under the Forest Legacy Program and may be more competitive at that time.

4. Project Proposals

- Request to move item 4.2. Hoku Nui project proposal up on the agenda to allow Guest Green to retrieve documents from her vehicle for item 4.1 Mana Gardens project proposal. Chairperson Kyono moved Item 4.2 forward in the agenda.

4.2 Hoku Nui project proposal, Makawao, Maui County

- Staff Sprecher introduced the project proposal for developing a management plan for 100 acres, which will be part of a development plan for a sustainable community that includes forestry, agro-forest and agricultural component. The Forest Stewardship portion would be focused on native forest restoration and potentially an agroforestry system.

- Staff Sprecher stated the proposal should have more information on organizations that will be involved (i.e. education). The FSAC recommends that the management plan include more information on the adjacent land activities, including agriculture that could impact the forestry portion on the project. Member Gagne recommended working with the Maui Invasive Species Committee who are active in the area. Chairperson Kyono responded that the applicant referenced working with native plant specialist Anna Palomino of Ho‘olawa Farms to create plant lists and planning for propagation. Member K. Friday suggested we enable them to move forward toward a plan under which they can reach out to Maui partners. Member Constantinides concurred with Member K. Friday, to encourage people who have potential to proceed.

- Member J.B. Friday raised a concern that the project design may be on the boundary of a landscaping project verses a forest project; however the size of the project is significant even for a forestry project. There is limited plant selection in the provided species list; the plan will need to include more detail on the specific species to be planted (including the coastal, Polynesian, and native species). The applicant should note that neneleau (*Rhus sandwicensis*) can spread very quickly.

- Member J.B. Friday stated the fencing cost is not sufficient for the required deer fence and will need to be updated in the plan. Chairperson Kyono added that deer fencing can cost

upwards of \$80- \$90 per foot; the applicant will want to get a quote for fencing as they develop their management plan. Member Hendrickson responded that \$17 per foot is not abnormal if the topography is gentle and the project area is generally easy to access. Also, fencing the entire project area, which will include other management objectives, should be considered in light of those other objectives. If forestry is only a small portion of the project, then cost-sharing on the entire perimeter fence should be weighed as such. Member Brezinsky said fencing the whole property is easier than fencing just the native forest boundary of the project.

- Member J.B. Friday stated that some sections on the proposed project area are too narrow for sustaining native forest since in some areas it is only 20 feet wide. Member Brezinsky responded that a native forest buffer can be sustainable. Member Hendrickson proposed that the people living on the property could contribute to management of the forest. Member Koch said the portion along the road could be considered more of a landscaping project.

- In response to the large number of residences, Member K. Friday views it as one parcel, regardless of number of residences. Member Brezinsky said there will be lot of human impact on the land. Member J.B. Friday explained the land will need constant management. Member Hendrickson said the design is good in terms of clustering the development, which is better than spacing it out, but the FSAC is only reviewing the forest project not the development plans. Member J.B. Friday said that 100 acres of native forest is significant. Member K. Friday clarified that the minimum native forest component is 5 acres. With more expert advice, the forest shape and/or size may change.

- Member Brezinsky noted that the area next to gulch is planned for agriculture, and thinks it would be better to keep it native forest. Member Constantinides said the proposal has considerable potential under USDA programs such as CREP and EQIP. The proposed fencing is appropriate for the scope. Member Kaulukukui said the FSAC's duty is to look at requirements of this program when considering a proposal, not to look at other projects. Member K. Friday said the USFS FSP priority is planning.

- Member K. Friday stated that to move forward to the plan stage one must ask "Is it eligible? Is it viable?" The plan cost is low.

Motion for proposal to be deferred, sent back to the applicant with comments, and returned to the FSAC. Moved by Member Kaulukukui; seconded by Member Pang.

Further Discussion

- Member Brezinsky said that historically FSAC has gone to the landowner to say approved and recommend that they address the issues raised at the meeting. Member Kaulukukui does not think there are enough details to decide approved or not. Chairperson Kyono clarified that the FSP will not provide funding unless a plan is approved. Member Hendrickson asked whether we can provide the applicant with enough guidance to come back with plan to be approved by the FSAC. If the FSAC cannot provide them with enough information, it would be real disservice to the landowner. Is there potential to provide reasonable guidance? The applicant is responsive and interested in seeking professional

guidance on the development of the management plan. Member Pang did not sense urgency from the applicant.

Voting: Approve: Pang, Kaulukukui, Brezinsky, Koch. Oppose: Hendrickson, Kyono, Gagne. Abstain: K. Friday, J.B. Friday. Motion failed.

Further Discussion

- Member Hendrickson would prefer it be focused on the native forest corridor element. Also, the goals section in the proposal does not reflect goals that are applicable to the forestry portion of their project. Real goals should be associated with the forest, not the community.

Motion to approve proposal and develop a management plan at a cost share not to exceed \$2,500. The management plan shall provide greater clarity on how they intend to achieve their goals in regard to native forest restoration or agro-forest. Moved by Member Constantinides; seconded by Member Hendrickson.

Further Discussion

- Member Pang questioned use of certain species, such as Bamboo, in the plan. Member J.B. Friday said historically FSP does not fund Bamboo plantings. Member K. Friday explained those species can be in the plan, but not funded. Member Constantinides thinks the map is deceptive, 100 acres of native forest is significant. Member Pang is unsure whether it is 100 acres of landscaping or forestry. Member Brezinsky asked if this area is sustainable, since the 100 acres is cumulative.

Voting: Approve: Kyono, Hendrickson, Brezinsky, Koch, Constantinides, Gagne. Oppose: Kaulukukui, Pang. Abstain: J.B. Friday, K. Friday. Motion passed.

4.1 Mana Gardens project proposal, Puna, Hawaii Island

- Guest Green was present to answer any questions about the proposal or forest.
- Member Constantinides suggested that the proposed engagement in WHIP or CSP programs may not be the best programs for the project due to low funding levels available. This type of proposal would be a good fit under EQIP. Member Constantinides asked how the West 20 acres of infested old growth native forest will be addressed (towards Guest Green). Guest Green responded she has been working with groups to identify the native and non- native species on the property and will preserve those trees through the project.
- Member J.B. Friday took photos during his visit, which he showed to the FSAC.
- Member Constantinides addressed the vegetation selection, which involves a significant use of hapu'u. The source of material is of extreme importance, no portion of native Hawaiian forest shall be mined for materials. Member Brezinsky said permits are available to harvest hapu'u in areas that are not on state forests, but be careful of weed species. Member Gagne also raised concern of little red fire ant, when harvesting hapu'u and the possibility of shipping them elsewhere.

- The FSAC recommends the use of a natural resource planner for the development of the management plan.
- Member Pang said the wrong snail is listed; the one listed is endemic to Kauai. Member Gagne clarified that it may be the amber snail (*Succinea spp.*) which is native and eats the algal off the leaves.
- Member Brezinsky recommended having a consultant work on the plan. Member Pang asked for a range. Staff Sprecher gave a range of \$10,000 – \$5,500.

Motion to accept, with a maximum cost share of \$2,500 and provision to work with staff to address the comments made. Moved by Member Koch; seconded by Member Hendrickson.

Further Discussion

- Staff Sprecher said that \$2,500 cost-share is insufficient based on the bids received by the landowner; \$2,500 would not be half of the lowest bid. Member Constantinides recommends FSAC seek other providers to get additional quotes. Member Brezinsky thinks the project is on the complex side and needs a lot of input due to different habitats.

Amend motion to more appropriate cost share up to \$3,500. Moved by Member Koch; seconded by Member Hendrickson.

Approve: Kyono, Gagne, Kaulukukui, Pang, Koch, Hendrickson. Oppose: Constantinides, Brezinsky. Abstain: J.B. Friday, K. Friday. Motion Passed.

4.3 Green Energy project proposal

- Staff Sprecher introduced the 1,000 acre Forest Stewardship project proposal for a commercial biomass plantation.
- Chairperson Kyono pointed out that the 1,000 acres is scattered throughout the property. Member Koch thought the site preparation costs were high. Member J.B. Friday responded that \$2,700 per acre for biomass is likely too high for the product to be profitable. Chairperson Kyono pointed out that this stage of the project deals primarily with Albizia removal and replacement with non- invasive trees, and is unsure whether the cost is appropriate.
- Member Koch called attention to the top portion of the property map, which appears to be in the Conservation District under the protected subzone from the map. Chairperson Kyono said it is likely zoned agriculture since it used to be a sugar plantation.
- Guest Tummons asked if lands owned by ADC are allowed to participate in the program. The FSP extends eligibility to private stakeholders that have leases on state lands provided the lease term is long enough. Member Kaulukukui said that state lands are not eligible; the project must be on private lands according to HAR §13- 109- 4. Member K. Friday continued, even if the project is eligible, it is necessary to look at the terms of their lease to see if the lease is intended to shift resources into the private sector. Member Hendrickson responded that private property is defined broadly, ineligibility calls the lease hold as a

property interest. §195F- 6. Member Hendrickson thinks the language in the rules is more broadly problematic and should be reviewed for updating.

- Member Koch called attention to the magnitude of budget numbers involved, a total of \$1.3 million. This is beyond the maximum FSP will fund. Member J.B. Friday mentioned funding projects as pilots to show the viability of a forest, and that this is the first endeavor into large scale commercial forestry. It is important to consider what benefits the public will receive. Is there a sound reason for public money to go into this project?

- Member Brezinsky asked if there is an element of profit or payback. Staff Sprecher responded that all commercial timber projects are required to have a payback provision in their Forest Stewardship Agreement. Currently the FSAC is only considering if it makes sense to develop a long term management plan under the program.

- Member J.B. Friday asked if the project has professional foresters, if so, it is beside the point for the program to pay for contracting a forester. The proposal is asking for support from the program to write a management plan, and the ultimate goal is to provide cost-share support to implement the management plan.

- Member Constantinides raised a point. Is this project even eligible? If not, there is no need to spend council time.

Motion to defer. Moved by Member Constantinides, seconded by Member Pang. Approve: Kyono, Pang, Gagne, Constantinides, Kaulukukui, Hendrickson, Brezinsky, Koch. Oppose: none. Abstain: K. Friday, J.B. Friday. Motion Passed.

5. Management Plans

5.1 Ahualoa Homesteads Forest Stewardship Management Plan

- Member Brezinsky thinks the project should fence before the area is planted; feral pigs are very likely to be present in the area. Why put money in and let the pigs destroy it? Staff Sprecher explained there is existing cattle fence around property and no definitive proof of pigs on the property.

- Member Constantinides mentioned applying for CREP. Staff Sprecher informed the FSAC that Mr. Everson is working with Grant Kow on a CREP project and conservation plan. Guest Kow said they are still working to configure the practices based on the Forest Stewardship management plan. Member Constantinides said the acreages between the two plans do not match; there is approximately a 20% difference in size.

- Member Brezinsky said that *Eucalyptus robusta* and silk oak were incorrectly listed as not invasive. Staff Sprecher indicated they have a low score on the Weed Risk Assessment of 3. Member Constantinides clarified that silk oak can be weedy in certain habitats, but the Eucalyptus should be okay at that site. Member J.B. Friday agreed.

- Member Koch called attention to site preparation; Section 5 should be more clearly defined. Also the herbicides containing Dicamba do not work on most species. Picloram works well but has a restricted use around water. He suggested Streamline and Milestone as options. Member J.B. Friday said Milestone is much more effective on Albizia at much lower doses.
- Member Koch thinks the augers may have problems with glazing on clay soils, and recommended using a shovel with auger. Member J.B. Friday said the planting costs are reasonable. The planting list is very good, with the exception of two or three questionable species.
- Member Brezinsky asked for more information on seeding acquisition. Staff Sprecher informed the FSAC that seedling acquisition is under the tree and shrub establishment practice.
- Member Constantinides raised several points. Attention should be given to the incipient population of wild olive. If present, there should be a focus on wiping it out completely. A perimeter fence would also be beneficial. The proposal calls for planting understory trees during year three, this could be deferred and instead focus on establishing an overstory. Under Section VI: Practice Implementation Schedule, “Tree and Shrub Site Preparation” and “Invasive Wattle Removal” are listed as two separate costs, although they are really one in the same. This looks like a double dip. Finally, there is no significant need for “Forest Stand Improvement” within the first ten years and it should not be an important part of the budget.
- Member Kaulukukui requested more specificity and details in the implementation schedule and explanation of where the numbers came from. She feels the same in regards to fencing. What type of fencing will they use and what is the pricing. Member Kaulukukui is also uncomfortable with Section IV: Land and Resource Description; it needs more reputable resources to be listed under “Significant Historical and Cultural Resources.”
- Member Brezinsky thought the budget was reasonable. The applicant is probably going with Natural Resource Conservation Service quotes, which may be too low. Member Kaulukukui requested greater detail in explaining costs and how practices are to be executed.
- Member Pang commented that the fence the top strand should not be a barb wire; bats may get caught on the top barb and smooth wire should be used instead.

Motion to approve management plan with the provision of working with staff to address concerns. Moved by Member Constantinides. Seconded by Member Brezinsky.

Further Discussion

- Member Gagne requested an amendment to Section IV: Land and Resource Description: Significant Historical and Cultural Resources.
- Member Kaulukukui recommended that management plan come back to the FSAC for final approval. Member JB Friday suggests providing comments to DOFAW and approve plan.

- Member Hendrickson thought it needed a better alignment between practices and budget, including the thinning which is listed but not described. Also is thinning necessary with native forest restoration? Is it specific to weeds? Member Hendrickson requested an amendment to approve the plan, not the proposal.

Voting: Approve: Kyono, Pang, Gagne, Constantinides, Hendrickson, Brezinsky, Koch. Oppose: Kaulukukui. Abstain: K. Friday, J.B. Friday. Motion Passed.

6 Forest Stewardship Program Hawaii Administrative Rules

6.1 Hawaii Administrative Rules (HAR)

- Member Gagne requested that staff get clarification on people leasing state managed lands under the program.
- Member Constantinides called attention to the following:
 - §13- 109- 3(b); adding guidelines for the FSAC to conduct business
 - §13- 109- 4(c)(2) contradicts §13- 109- 4(d).
 - §13- 109- 5(a)(3) is redundant with §13- 109- 5(a)(3),
 - §13- 109- 7(a)(3) amend “from among the following list” and inclusion for “invasive species control”
- Member Hendrickson asked if we planned on removing the minimum acreage requirement. Staff Sprecher responded that it can be found in §13- 109- 4(b)(3).
- Member J.B. Friday requested clarification on §13- 109- 7(a)(3)(H) “native resources” to “native plant and animal resources.” Member Pang agreed. Member Brezinsky asked if there was a need for a definition of “native.” Member Gagne defined “native” as “indigenous” and “indigenous” as that it got here via bird, but remains unchanged. “Endemic” is when it got here on its own but became different from its ancestor and often includes a restricted range. Both “indigenous” and “endemic” are considered to be “native.”
- Member Koch called attention to §13- 109- 6(b)(9)(c) that the program does not subsidy harvesting activities.

Motion to forward rules as amended to the Board Land and Natural Resources. Moved by Member Kaulukukui. Seconded by Member Gagne.

- Member Gagne requested that staff ask permission from BLNR to hold public hearings and the FSAC members to attend if available.

Voting: Approve: Kyono, Pang, Gagne, Constantinides, Hendrickson, Brezinsky, Koch, J.B. Friday, Kaulukukui. Oppose: none. Abstain: K. Friday. Motion Carries.

6.2 Hawaii Revised Statutes (HRS)

- Staff Sprecher addressed §195F- 6(a) - Payments from the forest stewardship fund shall not exceed fifty percent of the total cost of the landowner in developing and implementing an approved management plan. She proposed a possible increase to seventy five percent cost-share. The Forest Stewardship Program has been funding management plan development and management plan implementation separately. Discussion returned to §195F- 6(c)(1), and whether or not the FSAC may allow enrollment on public leased lands. Chairperson Kyono

recommended the Attorney General's opinion on how to proceed. Staff Sprecher will speak with the Attorney General regarding the issue.

- Member K. Friday asked if the gap between the Forest Stewardship Program and Natural Area Partnership Program (NAPP) has been solved. Staff Sprecher called attention §195F-3(a). Staff Sprecher explained that if the land could qualify as a Natural Area Reserve or Natural Area Partnership Program then it is not eligible for enrollment in the FSP. Member Gagne explained that the original intent of the FSP was to improve lands so they may apply as NAPP eventually.

- Member K. Friday explained how §195F-3(a) leaves the FSP open to working with industrial forestry. She asked if the FSAC should leave it open? Should the FSAC let the rule manage or address it in the statutes. Member J.B. Friday said there is no good definition of industrial forestry. Member Brezinsky concluded that the FSP should have something formal for industrial forests. Member J.B. Friday replied that capping the total acreage provides something formal. Member Hendrickson said the difference between industrial and nonindustrial forestry is defined by size and silvicultural methods. Staff Sprecher said that industrial forestry is new for Hawaii and having developing participants in the FSP is positive. Member Gagne recommended following the federal definitions modifying them to suit local needs.

- Member Constantinides recommended changing §195F-4(a)(2)(b); "degraded koa forests" as it is too limiting, and replace with "degraded native forests."

7. Forest Stewardship Advisory Committee Members

7.1 Guideline Review

- Staff Sprecher suggested the FSAC look at the guidelines and see if there are any changes to the representation of the FSAC or term lengths. What is the FSAC interested in? Should we consider requiring a year off the FSAC before reapplying? We should view these questions in context of HRS and HAR.

- Member K. Friday states there is a trend on government members pulling back from being voting members on other boards. She believes that her role could be to provide guidance and recommendations as an agency and not through participating in voting.

- Member Hendrickson explained that non-profits function on collegiality. This has two consequences. First, there is not a strong interest shown by others in the community to put their name out and be rejected. Second, it is difficult to leave a committee due to a need to continue one's work. Most boards have a term limit or time limit with potential to reengage application, this makes sense to him.

- Member K. Friday seconds Member Hendrickson's thoughts on non-profits and for the government to allow an agency to reappoint if it makes sense for the agency. Member J.B. Friday asked if DOFAW requests NRCS to submit a person. Staff Sprecher said members from agencies are also required to submit an application.

- Member Hendrickson said the list of agencies and interest groups is longer than number of committee members. He would like to see more of those involved with the forest products industry represented on the FSAC if we are hoping to see that industry develop, we currently lack viewpoints. Member Constantinides said that instead of having the committee self-select, it could be based on a recommendation from the administrator. Member Brezinsky felt like this was a dangerous thing to do. Member Koch said that institutional memories have value, but having the same people all along, they may get set in their ways and this is dangerous.

- Member Gagne feels the guidelines are important. Ultimately it is up to the committee and staff to see what is working. Member J.B. Friday raised the issue of slow turnover. Member Koch explained that it is expensive for a private person to spend an entire day away from work. Chairperson Kyono said that DOFAW Administrator has ultimate responsibility.

- Member Pang asked if the committee was covering all elements of the matrix and that the matrix is meant to show which forestry expertise we are missing. Member Brezinsky said there is turnover and good balance (based on personal experience). It is public perception that there isn't good turnover because we do not have many seats.

Member Constantinides asked for background on the guidelines. Staff Sprecher answered that they guide the committee on how to conduct business. They originally started out as bylaws but the DOFAW Administrator determined that guidelines were more appropriate. The guidelines are only approved as general operating procedures.

7.2 Vote for open member seats

- Member K. Friday chooses to withdraw her application.

Motion to accept all four applicants to the Forest Stewardship Advisory Committee (Jay Warner, Rich von Welsheim, Alvin Kyono, Greg Hendrickson.) Moved by Member Gagne, Seconded by Member Constantinides.

Approve: Kyono, Pang, Gagne, Constantinides, Hendrickson, Brezinsky, Koch, J.B. Friday, Kaulukukui. Oppose: none. Abstain: K. Friday. Motion Carries.

Motion to nominate chair-elect: Member Pang recommends Member Koch; seconded by Member Gagne.

Approve: Kyono, Pang, Gagne, Constantinides, Hendrickson, Brezinsky, Koch, J.B. Friday, Kaulukukui. Oppose: none. Abstain: K. Friday. Motion Carries.

8. Forest Stewardship Management Plan Consultant Workshop

- Member Hendrickson advised that landowners need a practical workshop. To that end recommendations include: Soil and Water Conservation Districts available to help fill out paperwork, multi-lingual speakers, consultants present, and provide workshop on other islands. Member J.B. Friday recommended that some landowners who already completed the Forest Stewards workshop could speak.

9. Hawaii CREP Annual Report

- Staff Sprecher explained that although enrollment remains generally static, there is still a lot of interest in the program.
- Two new CREP planners have already contacted 54 different landowners

10. Announcements and Travel

- Member Hendrickson asked if it is possible to have the materials distributed electronically, instead of a paper format. Member Pang suggested using dropbox. Staff Sprecher said this would be ok. Member J.B. Friday was interested whether this raised any confidentiality issues/concerns. Staff Sprecher clarified that all materials are already open to the public, and that a drop box is more protected. She asked which members would still prefer paper copies of documents. Member Brezinsky would still prefer a paper copy. Everyone else would prefer the dropbox. Member Hendrickson explained that the dropbox will be useful for when landowners send last minute materials. Chairperson Kyono said there is a concern as to whether we will have wifi at the meeting.

11. Formal Meeting adjourned: 3:35 PM

12. Site Visit to Waiakea and Upper Waiakea Forest Reserves and Waiakea Timber Management area: 3:35- 5:30 PM

- Joined by Jonathan Price, UHH