

Forest Stewardship Advisory Committee Meeting
Lihue, Kauai Department of Agriculture
12/01/06

MEMBERS PRESENT:

Mike Tulang (Chair), Rebecca Alakai, JB Friday, Kip Dunbar, Craig Rowland, Katie Friday (for Forest Service's Pacific Island Forester), DayDay Hopkins, Lea Hong (for Josh Stanbro), Bill Cowern, Bill Sager, Bob Joy, Betsy Gagne. **Members Absence:** Laura Brezinski **Staff:** Melissa Sprecher
Visitors: Michael Constantinides, David Burney, Liga Burney.

09:15am

MEETING CALLED TO ORDER:

OLD BUSINESS:

Meeting minutes September 29, 2006. **Motion to accept the minutes with minor correcting provided by Gagne and K. Friday. Moved by Gagne, seconded by Alakai. Passed unanimously.**

Forest Stewardship By-laws

Sheri has been in contact with both Sandy Stone and Karl Dallarosa on clarifying the Federal rules for this Committee. She and Melissa are currently working on drafting bi-laws for the Committee to review at the next meeting.

House Concurrent Resolution 200

A Steering Committee has been put together to work on the issues surrounding the HCR 200 and plans to meet after the New Year. Additionally, DOFAW has submitted the first of two annual Legislative Reports for the Resolution and it should be available within the next few months for public review.

Forest Legacy Shirts

The Committee was to be provided with the new Forest Legacy Program shirts, but there was an error in the printing process, which has lead to a delay in distributing. The shirts will either be available at the next meeting or will be mailed out to each member.

NEW BUSINESS:

FOREST LEGACY PROGRAM:

The Committee has already voted on the Forest Legacy application to be submitted for the program; however, there has been an application drop, a new submission, and an application that was overlooked. The Committee needs to review the new applications, approve the acceptable application into the program, and re-rank each project within the Forest Legacy Program.

Kealakekua Forest Legacy Application

This application is the second phase submission for Kealakekua Heritage Ranch with the Forest Legacy Program. The first submission was approved into the program last year and is ranked number six on the president's list for funding. There is still no word on the US Congress's national budget, which Kealakekua is included within. The second phase of the Legacy application is 5,000 acres for \$2 million to be added to the first phase to equal a total of 9,000 acres in a conservation easement held by DLNR. The Kealakekua Heritage Ranch also has a Forest Stewardship project that they are bringing to the Committee for approval.

Comments/Discussion:

- The location of the easement will follow the forest line and included some of the mauka section that is currently being grazed.
- How and who will be managing the invasive species and feral ungulate controls?
- The Ranch will be doing much of the conservation and restoration work on the lands. They run full time staff to handle the work load as well as the involvement of volunteer work from the community.
- The application states that the Ranch will provide a minimum of 30% land donation to the project as the cost-share and match to the federal program.
- The minimum match requirement is 25%. They are donating more than necessary.
- There is a discrepancy between the Forest Legacy and the Forest Stewardship applications in the issue of the approval for development on the land parcel.
- As far as the developmental approval for residential and recreational lots, the historical owner took two decades to get the approval for this development and was not successful.
- There is still a threat of development in the area.
- The landowner has approval on their other adjacent land parcel for more than 15-20 residential units and an eighteen-hole golf course, but they are choosing to significantly reduce the amount they install.
- The conservation easement will include the development easement rights.
- The landowner will be retaining 2,000 acres for agricultural purposes.
- Do we need to worry about the grazing rights within the Legacy proposal? From their management plan they now have fencing and management provisions for the herd. The grazing rights are included in the conservation easement, although that language has not been spelled out in the application. **It is the understanding of the Committee that the conservation easement includes the grazing rights.** It is my impression, however, that the entire 9,000 acres will not be ungulate free due to enormous fencing costs.
- We need to understand all the issues surrounding the threats in the application and the discrepancy in the two proposals.
- The landowner has to supply an agricultural plan for building on land parcels. (Not sure how the neighbor parcel is zoned (not included in the 9,000-acre easement), but it is outside of our purview).
- Each TMK is entitled one farm home or maybe two if you can support that you need additional housing for workers and such. That is why there are a lot of people wanting to re-zone the land.
- It would be nice to have a map of the different land areas in phase one and phase two as well as whether the developmental and cattle grazing rights are within phase one or phase two.
- The tract cost is highest and best use determined by the appraisal.
- All that matters to the committee is that the four million dollars is well spent on the land, the appraisal value is inappropriate and will be worked out with the landowner and the IRS.

- The committee does, however, need to consider if the landowner has residential and golf course rights, then it would be more threatened and of more importance. Again, the residential and golf course plans are NOT on the lands associated with the 9,000 acre Cons. Easement acquisition.
- If phase one goes through then it makes its value/importance higher in ranking.

Motion to accept the Kealakekua Forest Legacy Application into the Forest Legacy Program. Moved by Dunbar, seconded by Day Day. Pass unanimously.

Puu O Hoku Forest Legacy Application

This application was recently submitted into the program and is a great opportunity to acquire a conservation easement on lands on Molokai. The landowner is submitting 2,400 acres of land that is adjacent to the Molokai Forest Reserve. Approximately 1,000 acres of the mauka lands are forested and the easement rights in this area would be both development and grazing rights. The other 1,400 acres are partially forested with some areas of grazing by Puu O Hoku Ranch; on this section the easement would only involve the development rights.

Comments/Discussions:

- There is a lot of grazing down in the makai section and the mauka section is forested but also is partially grassland. There are eucalyptus, strawberry guava, ironwood, and feral pigs.
- The forested land is a mixed native and introduced forest.
- Is the 1,400 acres forested in anyway or form? Yes, partially.
- The landowner is very conservation minded and is also seeking a future conservation arrangement for the entire larger land portion (13,000 acres) through other programs, and/or Kam Schools.
- The objective of Forest Legacy is to protect forested lands and over half of the land is not in forest. However, the program manager/district has been creative in situations on the mainland that have native grasslands adjacent to native forest where they combined two different programs (ie: Grassland Reserves Program and Forest Legacy). That is not clear here as this is not native grasslands, but there might be creative bureaucratic ways to make this more acceptable in the program. It would be better to just consider the 1,000 acres in the program and not the additional 1,400 acres. Plus we have to think about the status of the forestlands, if it is mixed-introduced...
- There are koa trees and some sandalwood trees on the property.
- Originally, the landowner had only wanted to bring the 1,000 acres of forested lands to Forest Legacy, but the DOFAW decided to pursue more of the land for the easement. Part of that reasoning was to keep all of the land within one parcel.
- The Legacy program does not necessarily look at the project in terms of the entire TMK. It is common practice to only submit part of the land in the TMK, as landowners like to keep part for their house or other uses. Kealakekua Legacy application, for example, only includes part of the TMK. This is true, however, in this case including some of the makai (partially forested) lands will significantly improve access to the mauka landlocked Forest Reserve, which will make overall management much more productive.
- The access rights still need to be discussed between the landowner and State for the public access. At the very least parcel rights WILL be included in this easement. Hawaii is not interested in acquiring any land that does not at least have some access.
- The question for the Committee is if this proposal fits into the program.
- Is there a criterion for "nativeness" in Legacy? Depends on the AON. The application mentions a native Ohia forest.
- If they say that they are going to retain the grazing rights in the area, it will not bring about new native forest without fenced-off plots, unless the area is not inundated by ungulates.

- The map could be in topographic form to be easier to see/read as well as a vegetation map would be nice to view the land area.
- The land is in conservation and agriculture district. Conservation is the mauka section and the agriculture is the makai section.
- Is the landowner not grazing in the conservation district? There is probably a fence to keep the animals out of the land area, but it does not say that in the proposal.
- Do you have grazing rights to sell in a conservation district? Yes, with appropriate approvals.
- The land value is an estimate the appraisal has not been completed yet.
- The proposal is a little bit rushed, and some additional information is needed. The concept of the application is beneficial however, but there is not enough information to support it.
- The Committee would like more information on the forest composition, is purchasing grazing rights on the mauka land going to be worthwhile? Depends on the value of that right – again need an appraisal. What are the implications of leaving the grazing rights on the makai section? I would think we would want the grazing rights in the makai section to stimulate forest regeneration.
- When comparing Kealakekua to this application, this land is in conservation and is mixed introduced forest; Kealakekua is agricultural and of more threat. But that does not mean that this one should not be included.
- We all need more information, and it should be the committee's prerogative to defer this application until we have the information requested.
- The access issues would be nice to have all worked out, but the Forest Legacy program does not require that the land under easement be open to the public. It does it that is specifically put in the AON.

Motion to defer the approval of the proposal, and request that DOFAW get information on the current forest cover, whether purchasing just developmental rights on pasture land is allowed under the Forest Legacy program, and provide a map with the vegetation class on it. Moved by J. Friday, seconded by Hopkins. Pass unanimously.

Na Wai Eha Forest Legacy Proposal

The Forest Legacy application for Na Wai Eha has already been approved by the Committee at the September 29, 2006 meeting. The Committee now needs to rank the two approved Forest Legacy projects, Na Wai Eha and Kealakekua, to be submitted.

Motion to rank the Forest Legacy applications in is order: Kealakekua Heritage Ranch first and Na Wai Eha second. Moved by J. Friday, seconded by Gagne.

Comments/Discussion:

- Do we need more information on Kealakekua to do the ranking? Does the land have development approval, if so it would rank higher.
- The landowner is disclosing that they do have development rights in the application, so we should assume that it is true.
- In the worse case scenario, the landowner does not have development approval; it should still be ranked first.
- Na Wai Eha is the heart of Maui's watershed and there are a great many forests in that area.
- The Na Wai Eha application is very appealing, but on these parcels the topography is very steep. Thus the pressures of development are unlikely.
- There are some places that are very close or already under development adjacent to the parcels and the lower sections can be developed.

- The application says that Maui County is the current landowner.
- Maui County owns 40% of most northern parcels and they have set aside the funds to acquire the remaining parcels. The Wailuku Water Company owns the other parcels.
- The development pressure is not necessarily in the form of residential development. Since the land has been posted for sale, there has been interest from several multi-national water companies. The County does not want the land to be sold to a large international company and the water distributed according to the company and not up to the County.
- How is that possible with the water rights in the State?
- That is actually the basis for much of the legal cases surrounding this land area.
- In Hawaii, the water that is on the land is not owned by the landowner, it is a public good or a shared use right. But it gets more complicated when considering in what form the water is on the land (ditch, aquifer, stream)
- The water development or “reverse of water development” by returning water to the streams is a very good Hawaii based issue and fits under the Legacy program.
- The County of Maui is being held hostage by Wailuku Water to the extent of how much they have to charge/pay for water. Although Wailuku cannot sell the water, it can sell the transportation or delivery of that water, which is what the legal matters are based on.
- If this is funded, will the water issues be resolved? If the transaction goes through, it should resolve the legal matters and relieve some of the monetary issues.
- Under the readiness section: the State of Hawaii (Maui County) is supplying 85% of this transaction.
- OHA might also be supplying some of the funds for the transaction? Could be Legacy Lands program too.
- County of Maui or OHA will most likely hold the fee simple title.

Motion passed by a vote of five in favor and four against. Hong recused.

FOREST STEWARDSHIP PROGRAM

The Committee reviewed one new Forest Stewardship proposal and one Forest Stewardship Management Plan for approval. DOFAW also has an update on Schirman’s proposal from the last meeting.

Forest Stewardship Proposals:

Lindelow Forest Stewardship Proposal

David DeEsch came and spoke with the Committee at the last meeting to present the project area. They have now submitted their proposal for review and approval by the Committee. The project site is on Hawaii Island and they have been in contact with J. Friday on a number of different issues facing the project (species and timber management). There are three landowners and they all have shown/provided document of their support of the project. The applicant is currently working on contacting local communities to build volunteer support. The project for Stewardship is 12 acres on a 24 acre parcel, and will focus on reforestation and some timber management.

Comments/Discussions:

- The project site is in the lower elevations on the northern Hamakua Coast that can still support Koa, but there has been a fairly large occurrence of koa dieback. The land area has been somewhat degraded by ranching and the restoration of the site would be very beneficial. There are a number of trees that would grow there for tree farming. The project is plausible.

- Sandalwood will grow, but no one really knows how well. It should be included in the native forest reforestation aspect, and not as an economic resource. Sandalwood grows very slow. Koa work will be somewhat experimental due to koa wild concerns.
- Economically, it's a good idea to plant other species as well perhaps toon, or eucalyptus, etc.)
- For native reforestation, the project needs to get connected with local communities, provide educational aspects or some public benefit should be involved. For tree farming a financial analysis is needed. Should identify where each activity will be executed on the property
- *Santalum partial* is the correct spelling.
- Other funding sources to consider are Ducks Unlimited. Should be Natural Resource Conservation Service not National Area Defense Council.

Motion to approve the proposal and submitted the comments. Moved by J. Friday, seconded by K. Friday. Passed unanimously.

Hui Ku Maoli Ola (Schirman) Proposal

The Committee has already approved the Schirman proposal at the previous meeting; however, the Committee wanted to see a revised budget, provide and land lease documents, provide a letter from the landowner in approval of the project, include a more detailed map of the project area, provide letters of support from parties involved, and DOFAW staff to make a site visit. As of this meeting, all requested materials have been obtained and a site visit has been conducted. The project managers run a business based on restoration and plant propagation and are very knowledgeable about the work that will need to be conducted. The Committee viewed pictures taken from the DOFAW site visit.

Forest Stewardship Management Plans:

Kealakekua Management Plan

Kealakekua Heritage Ranch has submitted their management plan for Committee approval. DOFAW has made a site visit to the ranch to view the project area as well as the koa stands mentioned in the last meeting. The Committee also viewed pictures taken from the DOFAW site visit.

Comments/Discussion:

- The koa that were previously planted are in good standing and growing straight.
- From the pictures, there is no real need to out-plant koa and ohia by using 5 gallon containers when dibble tubes are more cost efficient.
- The growth of the seedlings in the large pots could be used for seed collection or landscape purposes.
- Fencing for the native species restoration talks about cattle fencing, but does not include fencing for pigs.
- Yes, the fencing will only include fencing for cattle.
- They are still planning on using cattle scarification to regenerate koa. The ranch will use cattle along with mechanical and other controls in an experimental situation to determine the most effective way to regenerate koa.
- The Committee would like the discrepancy between the Stewardship management plan and the Legacy application to be cleared up (pg 7). They say that they were not successful in getting the permit for development, but the legacy application says that they have the approval.
- The Legacy applications should be gone over again to make sure that all information is accurate and that it is not misinterpreted.

- The larger question is on the fencing, and can this issue be dealt with using adaptive management.
- Within the subject of seedling and native forest reforestation, need acknowledgement of the difference between planting a lot of rare vs native species. This plan is focusing on regenerating forests and not just a nursery of T&E species.
- In the stand management, there is no real need to thin anything but the koa. The understory will not be planted at that high of a density to worry about thinning.

Motion to approve the management plan with passing on the comments. Moved by J. Friday, seconded by Hopkins.

Further Discussion:

- It appears as if the fencing issues, when incorporating the ungulates, will largely affect their budget and costs. It will be more than a minor change to the budget.
- The Committee is really doing two things with Kealakekua, 1) deciding that the management plan is worth funding, and 2) deciding if it should be included in Forest Legacy. If the money does not go through from Congress and the ungulate fencing is not included in the plan, is the project still adequate to preserve the forested lands?
- The fencing is a large enough issue to be the determining factor.
- If DOFAW is able to negotiate the ungulate fencing into the budget, then that is great. But if not, the plan is already at \$75,000 per year and if there is the option to do adaptive management, does it have to come back to the Committee? What about a condition of approval to include the pig fencing into the budget of the plan? That would take it over \$75k/year.
- The Committee has just approved the cost-share for fencing, and the addition of pig fencing will increase the cost by approximately 4 times the amount.
- It would be difficult to determine on this large of a project area, where what site will need cattle fencing vs pig fencing. Plus the addition of hunting pressure will have an affect on the need of fencing.

Motion denied by vote of six against and five approve.

Further Discussion:

- Mick Castillo was contacted to supply additional information concerning the management plan. The landowner conducted a cost analysis to determine the effectiveness of using pig-proof fencing for the entire project. This cost would be prohibitively expensive, thus the project will be using pig-proof fencing on smaller special areas, such as T&E sites or sites of cultural importance. The cattle proof fencing over the larger acreages where there will be more generic native reforestation with other measures to support the efforts though trapping, for example.
- In any of the project, you have to move funds around according to how the project is running year to year.
- The program should include flexibility into the management plan to accommodate this particular situation.
- DOFAW should negotiate a strategy with the landowner for adaptive feral ungulate management.

Motion to approve the management plan with the condition that the landowner and DOFAW will negotiate a strategy for adaptive feral ungulate control management. Moved by Hong, seconded by Alakai.

Further Discussion:

- Adaptive management is very pertinent here, because they will need to be adjusting throughout the management period.

Passed unanimously.

Forest Stewardship Project Updates:

J. Friday provide an update on the Forest Stewardship projects of Umikoa (koa stands growth, thinning activities, and out planting), Fox (Papaloa area, is bringing in sheep to graze the understory and weed control, bamboo windbreaks, teak, Norfolk pine, etc), Giardina (teak Mahoney, eucalyptus, manjuman; pruning; pretty serious koa wilt in the area; did have issues with weed management while they were gone), Green & Russo (pheasantwood, adjacent to Giardina project), and Larish (sheep grazing but feral dogs are killing the sheep; in Curtis town (700ft) koa, kamane, Mahogany stands, maile under the koa). The Committee viewed images taken by J. Friday and then they were submitted to be included on the Forest Stewardship website.

Various other discussions:

- J. Friday provide copies of *Weeds of Hawai'i's Pastures and Natural Areas* from the College of Tropical Agricultural and Human Resources, University of Hawai'i Manoa for all interested. New publication of sustainable agriculture from CTAHR is available for download off the web.
- There is a potential for a site visit to Kealakekua Heritage Ranch on Hawaii Island for the next Committee meeting or the possibility of a visit to the Na Wai Eha area on Maui Island.

The next Committee Meeting will be held on March 2, 2007, in Kona on Hawaii Island.

SITE VISIT:

1:00pm -

David and Liga Burney Makauwahi Sinkhole