

FISHPOND RESTORATION APPLICATION

FISHPOND NAME: WEHELAU'ULU

APPLICANT NAME: Bronson Kalipi

Pond location: 11 miles east of Kaunakakai, south shore of Moloka'i

Nearest Tax Map Key(s): (2) 5-6-004:000

Ahupua`a: East 'Ōhia and Manawai

District: Moloka'i

County: Maui

Island: Moloka'i

Commencement Date: immediate

Completion Date: on-going

Wall length: 1700 feet

Pond surface area: 8 acres

WORK SUMMARY

Operations only

Construction of accessory structures

Minor repair, restoration, and maintenance of walls, 'auwai, mākāhā, etc.

Moderate repair and restoration (10% to 50% damage)

Major repair and restoration (greater than 50% damage)

Linear feet of wall to be repaired (rocks on site):

Linear feet of wall to be restored (new rock):

Source of new rock:

Amount of "fill" (expansion beyond original footprint):

Dredging using mechanized equipment

Estimated volume of dredging:

Vegetation removal using mechanized equipment

Estimated acreage:

Emergency repair

REQUIRED SIGNATURES

Applicant

Name / Hui: Bronson Kalipi

Street Address: HC-01 Box 551

Kaunakaki, HI 96748

Contact Person & Title: same

Phone: 558-0434 or 213-4623

Email: bkalipi6@gmail.com

Interest in Property: Family history with the pond

Signature:

Date:

Signed by an authorized officer if for a Corporation, Partnership, Agency or Organization

Landowner (if different than the applicant)

Name: State-owned

Title; Agency: DLNR

Mailing Address:

Phone:

Email:

Signature:

Date:

For State-owned ponds, the government entity with management control over the parcel shall sign as landowner.

Agent

Agency:

Contact Person & Title:

Mailing Address:

Phone:

Email:

Signature:

Date:

For DLNR Managed Lands

State of Hawai'i

Chairperson, Board of Land and Natural Resources

Department of Land and Natural Resources

P.O. Box 621

Honolulu, Hawaii 96809-0621

Signature:

Date:

DESCRIPTION OF THE LOKO I‘A

Please discuss the current physical and environmental conditions of the loko i‘a. Please also note if any endangered or threatened species are found in the pond.

The pond is a square with three submerged walls. There are two mākaha on the east and west wall that aid in circulation. The walls are submerged, but the foundations remain underwater.

The pond runs 1000 feet along the shoreline. The middle of the shore is a sandy beach, while there is more mud and rocks on both the eastern and western ends.

The water and wind flow to the west. The pond is currently filled with sedimentation.

There are no known endangered or threatened species that use the pond.

HISTORY OF THE LOKO I‘A

The applicant’s tutu Kalipi used to work the pond, which belonged to his brother Alapa‘i Nui. It passed to his tutu when Alapa‘i died.

Around 1981 the applicant’s parents took rocks seeded with limu ogo spores from the neighboring Keawanui pond, and used them as starters (*pula pula*) to establish the ogo at Wehelau‘ulu. They provided the ogo to the community, and also sold it to Colette Machado’s business. At one point Wehelau‘ulu was one of the biggest limu producers on Mokoka‘i.

PROPOSED WORK PLAN

Please provide a summary of the work that is being proposed under this permit. Please note any use of mechanized equipment

No work is being proposed at this time. The applicant plans on submitting a further application for minor repairs if a lease is secured.

PROPOSED OPERATIONS PLAN

Please discuss what species you intend to raise in the pond, and your proposed methods of stocking, raising, and harvesting these species.

Ogo limu (*Gracilaria parvispora*). Ogo grows on rocks that have been naturally seeded by ogo spores. Harvesting is done by hand; mature plants are pinched off at the base when they reach approximately three feet in length. The base is left in the substrate to regrow. The applicant anticipates being able to harvest 100 to 200 pounds per week.

CERTIFICATION

I hereby certify that I have read this completed application and that, to the best of my knowledge, the information in this application and all attachments and exhibits is complete and correct. I understand that the failure to provide any requested information or misstatements submitted in support of the application shall be grounds for either refusing to accept this application, for denying the permit, or for suspending or revoking a permit issued on the basis of such misrepresentations, or for seeking of such further relief as may seem proper to the Land Board.

I hereby authorize representatives of the Department of Land and Natural Resources to conduct site inspections on my property. Unless arranged otherwise, these site inspections shall take place between the hours of 8:00 a.m. and 4:30 p.m.

Signature of authorized agent(s) or if no agent, signature of applicant

AUTHORIZATION OF AGENT

I hereby authorize
concerning this application.

to act as my representative and to bind me in all matters

Signature of applicant(s)

DAVID Y. IGE
GOVERNOR OF HAWAII



CARTY CHANG
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

ref:OCCL:MC

File No: Loko I'a: MO-15-01

Bronson D. K. Kalipi
HC-01 Box 551
Kaunakakai, HI 96748

JAN - 6 2015

Dear Mr. Kalipi,

SUBJECT: LOKO I'A PERMIT MO-15-01 - WEHELAU'ULU FISHPOND
West 'Ōhia – Maunawai, Moloka'i
Offshore of TMK (2) 5-6-004:000

Dear Mr. Kalipi,

The Office of Conservation and Coastal Lands (OCCL) has reviewed the information you sent regarding harvesting ogo (*Gracilaria parvispora*) at the Wehelau'ulu fishpond. The state-owned pond is on submerged lands in the Resource Subzone of the Conservation District.

Wehelau'ulu is an 8-acre square-shaped *loko kuapa* that is currently in a state of disrepair. The 1,770 foot-long wall is mostly destroyed, although the foundation still exists under the water. It was fed by fresh water springs, while three mākaha opened on the south section of the wall

Ogo is an endemic species found on reef flats and areas of sand overlying rocky substrates. It is one of the larger native red algae in Hawai'i. It prefers nutrient-rich water with low wind and water motion. According to our records, ogo was traditionally cultivated in floating baskets in Hawaiian fishponds. In the modern period it is primarily gathered in the wild. Due to overharvesting it has been replaced by invasive algal species in much of the state, particularly on O'ahu.

According to the information you provided, around 1981 your parents took rocks seeded with limu ogo spores from the neighboring Keawanui pond, and used them as starters (*pula pula*) to establish the ogo at Wehelau'ulu.

Spores from the grown algae drift west with the current. Your family would gather rocks from the west bottom corner of the pond, and relocate them, and allow the limu ogo to grow. Harvesting is done by hand; mature plants are pinched off at the base when they reached approximately three feet in length. The base is left in the substrate to regrow. Your parents harvested approximately 500 pounds of limu each month, while you state that you are able to harvest 100 to 200 pounds per week.

You only intend to harvest and sell ogo at this time; you will need to submit a future application to erect any signs or security equipment, or to conduct repairs on the walls.

If this permit is approved you will submit an application to lease the pond through DLNR's Land Division.

After reviewing the application, OCCL finds that

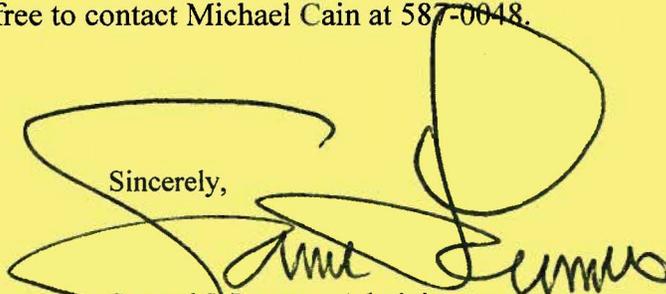
1. That the proposal to harvest ogo at Wehelau'ulu is consistent with Conservation District Use Permit (CDUP) ST-3703 for the Ho'āla Loko I'a program, as approved by the Board of Land and Natural Resources on June 27, 2014;
2. That the activities described were covered in the Final Environmental Assessment (FEA) and Finding of No Significant Impact (FONSI) for the Ho'āla Loko I'a program, which was published on October 23, 2013;
3. That the proposal requires the need for a Tier 1 Loko I'a permit signed by OCCL;
4. That the standard conditions found in Hawai'i Administrative Rules (HAR) §13-5-42 apply.

After careful review of the proposed project, the Department authorizes a Tier 1 Loko I'a permit for the harvesting of ogo at Wehelau'ulu fishpond, West 'Ōhia – Maunawai, Moloka'i, offshore of TMK (2) 5-6-004:000, subject to the following conditions:

1. The permittee shall comply with all applicable statutes, ordinances, rules, and regulations of the federal, state, and county governments, and applicable parts of this chapter;
2. The permittee, its successors and assigns, shall indemnify and hold the State of Hawai'i harmless from and against any loss, liability, claim, or demand for property damage, personal injury, and death arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors, and agents under this permit or relating to or connected with the granting of this permit;
3. The permittee shall obtain appropriate authorization from the department for the occupancy of state lands, if applicable;
4. The permittee shall comply with all applicable department of health administrative rules;
5. All representations relative to mitigation set forth in the application are incorporated as conditions of the permit;
6. The permittee understands and agrees that the permit does not convey any vested right(s) or exclusive privilege;
7. In issuing the permit, the department and board have relied on the information and data that the permittee has provided in connection with the permit application. If, subsequent to the issuance of the permit such information and data prove to be false, incomplete, or inaccurate, this permit may be modified, suspended, or revoked, in whole or in part, and the department may, in addition, institute appropriate legal proceedings;

- 8. Where any interference, nuisance, or harm may be caused, or hazard established by the use, the permittee shall be required to take measures to minimize or eliminate the interference, nuisance, harm, or hazard;
- 9. The permittee acknowledges that the approved work shall not hamper, impede, or otherwise limit the exercise of traditional, customary, or religious practices of native Hawaiians in the immediate area, to the extent the practices are provided for by the Constitution of the State of Hawai'i, and by Hawai'i statutory and case law;
- 10. Should historic remains such as artifacts, burials or concentration of charcoal be encountered, work shall cease immediately in the vicinity of the find, and the find shall be protected from further damage. The contractor shall immediately contact HPD (692-8015), which will assess the significance of the find and recommend an appropriate mitigation measure, if necessary;
- 11. Other terms and conditions as prescribed by the chairperson.
- 12. Failure to comply with any of these conditions shall render a permit void under the chapter, as determined by the chairperson or board.

Please acknowledge receipt of this approval, with the above noted conditions, in the space provided below. Please sign two copies. Retain one and return the other within thirty days. Should you have any questions feel free to contact Michael Cain at 587-0048.

Sincerely,

 Samuel J. Lemmo, Administrator
 Office of Conservation and Coastal Lands

Receipt acknowledged:

 Permittee's Signature

 Date

copy: Chair; Land Division (attn.: Daniel Ornellas)