



**NĀ ALA HELE**  
Hawai'i Trail & Access System

## **Nā Ala Hele Hawai'i Island Advisory Council Minutes**

**Approved: January 22, 2020**

**Revised: January 22, 2020**

**MEETING DATE: November 13, 2019**

**PLACE:** Waimea DOFAW Office

**Voting Members Present:**

Riley Smith - Chairman, , David Rietow – Secretary,  
Deborah Chang, “Maha” Roger Kanealii Jr, Kawehi  
Ryder, Christopher Seymour, Michael Varney

**Voting Members Absent Excused:**

Jeffrey Yamauchi, Terrence Noda – Vice Chairman

**Voting Members Absent Unexcused:**

(none)

**Invited Guest:**

Mary Metcaff of Pu'u Wa'awa'a Advisory Council's  
“Recreational Goals”  
Dr. Jeff McDevitt & Grant Miller of PATH

**Public:**

Meeting was attended by 3 other members of the  
public

**Ex-Officio:**

Jackson Bauer of Na Ala Hele, Rick Gmirkin of Ala  
Kahakai National Historic Trails

**Ex-Officio Absent:**

- I. Call to order at 6:00PM by Riley Smith
- II. REVIEW and APPROVAL OF MINUTES August 30<sup>th</sup> 2019.
  - A. Rick had the following corrections.
    - a. IV, B, e, v – Strike out “Rick commented that this information can also be used by our public emergency services and hopefully we can better preserve trails” and move IV,B, e, v, a up in place of.

- b. IV, B, a, i, c – “Kawehi asked if the kiawe will be available for people. Rick replied yes. The people of Kohala will have first priority. The wood will be used in other community projects. Fence size pieces will be separated for use.
- c. IV, B, a, iii, c – “We have funding to do detailed archaeological documentation of the trail as it goes through that half mile section. Also vegetation clearing and trail stabilization. To do this we are hiring one permanent archaeologist, an archeological technician, a work leader trail person, and also a trail crew. We also have funding and will be working with our Denver office on a preliminary management plan.”

B. Motion to approve minutes by Mike and seconded by Chris. All were in favor.

III. PUBLIC TESTIMONY (Three minutes maximum). No public testimony

- A. Pu’u Wa’awa’a Advisory Council’s “Recreational Goals” by Mary Metcalf. We were tasked with creating recreational goals for the preserve five years ago. This came out of the management plan which gave very brief objectives. The document that came out of this is intended to be a internal guidance tool management. A lot of community input went into this document such as the mountain biking community, Hui `Ohana, and the hiking community. I want to focus on the immediate recommendation of making the two trails, The Cone Trail and The `Ōhi`a Trail, part of the Nā Ala Hele Trails Program.
  - a. Both Trails have been around since 2006 – 2008
  - b. Largest public land trust in West Hawaii.
  - c. Nā Ala Hele Program could help in signage and education having already been well established in doing so.
  - d. A visual orientation of the trail was presented for both trails.
  - e. The advisory council currently does not recommend mountain biking on these two trails however that is not to say we could not create bike appropriate trails.
  - f. Questions and Answers for the NAHA
    - i. Jackson spoke in favor of adding these two trails to the NAH trails program. He has been attending a number of the Pu’u Wa’awa’a advisory meetings. He has met with the DOFAW staff and they have come up with a number of ideas and suggestions for improvement. He also believes the DOFAW staff working in the area can assist in trail maintenance in coordination with their focus on firebreak maintenance.
    - ii. Debbie asked if either of the two trails cross hunting zones. Mary replied that both trails are in the safety zone. Jackson added that most of the NAH program trails are in hunting areas.

- iii. Debbie asked if they envisioned this limited to pedestrian traffic. Jackson said yes however a more formal process may accommodate limited vehicle access for kupuna on The Cone Trail.
- iv. Riley wanted to remind everyone that the agenda for the evening is for the NAHA to vote on whether or not to recommend these two trails be added to the NAH program. Specifics on rules and regulations will follow should the trails be accepted.
- v. Debbie mentioned that she sees a lot of reference to commercial recreation in the Pu`u Wa`awa`a recreational advisory document. If the trails were to be part of the NAH program trail that a cautious approach to commercial consideration should be taken. Mary replied that this is a key advantage of NAH in that it has already established various levels of usage in its program trails. Jackson said that NAH has the flexibility to limit or not allow commercial use.
- vi. Mike asked if there are any plans for E-Bikes. Jackson gave a brief update on the growing use of E-Bikes and that not all E-Bikes are the same. They are in the process of updating rules to meet the changing times.
- vii. Rick asked if there would be any format to accommodate Pu'uanahulu residents' preferred access. Jackson replied that there is a format for commercial and group access. Mary commented that there is an 80 acre community forest at the top of the Pu'u and a lot of the `Ohana are involved in the management of it.
- viii. Debbie motioned to defer the NAHA decision till next time. Kawehi second.
- ix. Mike asked Debbie if she wanted to elaborate on her hesitation to vote on the proposal tonight. Debbie expressed her concern that Jackson may not have the capacity to include within the NAH program. Jackson replied that he is confident with the partnership he's developed with Pu'u Wa'awa'a group. He would not make the recommendation if he was not confident that it could be incorporated.
- x. Kawehi expressed his concern about the prospects of the parking being moved closer to the cone. Riley replied that would be part of the planning if we adopt the trails.
- xi. Debbie asked what involvement the Forest Service's restoration program has with the trails. Jackson said the Forest Service has funding to renovate the old ranch house to be an education center and there may be room to work together. The Forest Service is in support of public use of these trails.

xii. Debbie offered to retract the motion to defer after hearing Jackson's support for the adoption. Kawehi seconded the retraction.

xiii. David motioned to accept the proposal to adopt the two trails into the NAH program. Mike seconded the motion.

xiv. Riley called for a council vote. All were in favor.

B. Peoples Advocacy for Trails Hawai'i (PATH) maintenance of mountain biking trails in Maka'ula-O'oma section of Honua'ula Forest Reserve (and other locations)

- a. Presentation by PATH trail maintenance volunteers – Dr. Jeff McDevitt board member of PATH. In the early 1990's the state took back the lease for the Maka'ula-O'oma section from the ranchers and it was added to the Honua'ula Forest Reserve. At the same time they approached PATH to put in recreational mountain bike trails. They approached another not for profit group to put in hiking trails. The hiking group trails never materialized and the mountain biking trails have become multi-use trails. Since then PATH has maintained about 6 miles of trail. These trails are heavily used. On a daily basis there may be 25-50 people in mixed use.
- b. Addition of trails within Maka'ula-O'oma section of Honua'ula Forest reserve to the NAH Program – Dr. Jeff McDevitt. PATH's primary mission is to foster safety for bicyclists and pedestrians. Because of this it has never been our focus to maintain these trails. As such there is no signage and we don't have the funding. Adopting these trails into the NAH Program would solve both signage and future growth as the community matures. PATH would still maintain these trails under the MOA with DOFAW and NAH would manage signage and usage.
- c. E-bikes viewed by PATH – Dr. Jeff McDevitt. We could not maintain these trails without the usage of E-bikes. They help us with heavy loads. E-bikes that are peddle assist with fat tires do less harm to the trail than most mountain bikes with smaller tires, because they do not spin out.
- d. Questions and Answers.
  - i. Jackson explained that the MOA between DOFAW and PATH would transfer from Forestry to NAH and PATH. PATH would continue to maintain the trails. NAH would be able to assist with signage, add the trails to the web site, and assist with usage management.
  - ii. Dr. McDevitt added that they also now have a volunteer trail maintenance day, the first Saturday of every month. Jackson said this is something NAH can also help out with.
  - iii. Debbie asked if the trail runners are still accessing the forest reserve through the Ha'o Street private property. Dr. McDevitt said no. He also

added that the owner of that property also intends to put up a fence eventually.

- iv. Jackson added that the legal access is through Makahi Street.
- v. Riley expressed the lack of a map makes it unclear the area of legal access vs the history of convenient access through the black pipe road that is private property. Jackson and Riley pulled the map up on their computers.
- vi. Debbie expressed her concern with public pushback when the Hao Street land owner fences off the old black pipe access. Grant Miller commented that over 90% of the public use the official Makahi Street access including the area residents.
- vii. Rick asked if people are sticking to the maintained trail or are they also using unofficial trails within the reserve. Dr. McDevitt replied that it is very rough terrain and therefore people tend to stick to the maintained trail.
- viii. Jackson said that he would only support the adoption of these trails because of the strong history of support PATH has provided to Forestry.
- ix. Debbie asked if NAH would become liable if the Ha'ō Street access became a point of contention with the land owners. Jackson said no because we have never advocated the Ha'ō access and have always maintained Makahi Street as the access point. Also, whether it is Forestry or NAH it is all still under DLNR.
- x. Debbie asked if they had thought about commercial use if the trail falls under NAH. Jackson said it was not the focus of NAH but would be discussion to have with NAH, PATH, and the public at the appropriate time.
- xi. David asked how NAH would interact with the local HOA. Jackson did not know. Dr. McDevitt said the trail has been there since the '90s. PATH has not been approached by the HAO for any issue.
- xii. Rick asked if restroom facilities would be required. Jackson replied no. We don't have restrooms at all of our trails.
- xiii. Mike expressed concern about parking in the future.
- xiv. Riley asked whose ranch it was at the end of the trail. He expressed it would be good to know all the neighbors, both residential and commercial, and their thoughts about the trail system before we commit.

- xv. Mike motioned that we carry the discussion over to our next council meeting. David seconded the motion and all were in favor.

#### IV. UNFINISHED BUSINESS/COMMITTEE REPORTS

##### A. Nā Ala Hele Program Update (Nā Ala Hele staff) by Jackson

###### a. Program Trails

- i. Kaulana Manu Nature Trail. We are still waiting on electrical permit.
  - a. Debbie expressed it was unclear how many people comprise a group that would need a permit. Jackson said 12 people with a limit of 4 groups per day. School groups would be limited to 48 per day with no commercial access allowed that day. Total number of people in a permitted group per day is limited to 48 whether it be commercial or noncommercial.
  - b. Debbie asked if a commercial operator could book all the available slots for months in advance (as was done on Kauaʻi in the past). Jackson said in theory they could at a cost of \$5 per head however we also have the ability to limit any one operator to a single slot per day if we want.
- ii. Puna Trail. We installed some bollards across the trail on September 17<sup>th</sup> to restrict vehicles on the trail. Heard today that one of the boulders was removed. Usually this is by fishermen trying to drive to the shoreline. The land owner, Shipman, does not restrict shoreline access but does restrict vehicles.
- iii. Mauna Loa Observatory Road. Because Mauna Kea road is closed more people are using Mauna Loa Observatory Road. That is ok however there are no facilities up there and only 5 parking stalls. The influx of usage has people blocking the observatory driveway, parking in the lava, and pooping in the lava. We are talking to the National Park so that we can work together in the future to mitigate this. Even though it is not in the park people are using it to access the park. Future funding requests could help to address the issues. I would like to put a portable toilet up there however the vendors do not have the capacity due to all their equipment being used at the protest camp at Mauna Kea access road. Riley provided Jackson with the contact info for Big Island Portables.
- iv. Muliwai Trail. We did a camp October 21<sup>st</sup> – 25<sup>th</sup>. We had 18 people of which 9 were volunteers. Rick's people helped out. There was a problem with squatters. DOCARE was notified prior but did not respond. Later we found out that all of the DOCARE staff is consumed by the protest situation at Mauna Kea access road.

- a. Mike said some friends of his friends were harassed by squatters at the top of the Z trail (in Waipi`o). He has personally talked to people without permits heading to the trail. The problem is so bad that some of the trail users are taking the problem of squatters into their own hands. Jackson and Mike figured that this was around the same time period as the Muliwai service trip.
  - v. Kaheawai Trail on September 1<sup>st</sup>. This is at Manukā. The trail starts on the makai side of the highway just outside Ocean View Estates and comes out around Manukā Bay. We walked a portion of the trail and then flew by helicopter around the area. The trail is in good condition and there are a lot of other trails visible in the area.
  - vi. Kilohana hunter check station. We put in a concrete pad, will order an ADA toilet, and close down the old pit toilet which is full. Will also be consolidating signage into the check station.
- b. Historic Trails
- i. Talked about Kaheawai Trail previously.
  - ii. Kohanaiki Trail by Hina Lani St. This used to be a Stanford Carr Development and is now owned by Redwood Capital. In order to develop it they have to create affordable housing. One way of meeting that requirement is by donating a portion to a not for profit group who would then build affordable housing. That group wants to build housing on a parcel in which the Kohanaiki trail goes through. Rick and I met with ASM's archeologist that was hired to do the section 106 required report. Section 106 is a historic preservation study required by the federal funding the group is receiving. This is good as it provides an additional layer in which we can comment on. We also meet with Jeremy McComber of OHCD Community Development Division.
    - a. Mike asked how many houses they are wanting to build. Jackson replied that it is about 111 units.
- c. Access update
- i. Ka'alāiki Road. Moana and I met with land owners who are arguing that it is not a county road and was built by the former sugar plantation. Moana's abstract however shows a government road preexisting the 1870s. This came about as a request by the county to determine road ownership. The land owner wants to subdivide and use the road as an access. In order to do that the county requires the land owner to improve the road which could be quite costly.

- d. Outreach
  - i. Run for the Dry Forest. We had a booth on October 25<sup>th</sup>.
  - ii. Ho'okupu Hula No Ka'u Cultural Festival at Pahala Community Center. We had a booth on November 4<sup>th</sup>.
  - iii. Hawaii Tourism Authority has invited us to have a booth on Monday November 18<sup>th</sup> at a products and partners conference in Waikoloa.
- B. Ala Kahakai National Historic Trail Update (Ala Kahakai National Historic Trail staff) by Rick Gmirkin. No update
- C. Budget/Legislative Update by Jackson. No update.
- D. Information/Update: Tracking Tool (Deborah Chang).
  - a. #3 Coast Guard Road. Debbie reported that the land owner has not provided the required public access plan. This will hold up any further permit request. The previous permit was a minor SMA. Eventually he may need a major SMA permit. Tracking tool will be updated.
  - b. #4 Black Sand Beach.
    - i. Mike emailed Planning and they replied this was a low priority. He then filed a formal complaint with Planning but has not heard back. Riley suggested sending a follow up email.
    - ii. Rick said his trail crew went out there to do trail maintenance. They found another SMA violation. One of the land owners has moved the trail and built a viewing platform in the SMA. Talked to Shawn of SHPD and we will be going back out there when DOCARE is available.
  - c. #5 Hilo Forest Reserve access in Honomū. Debbie reported that she spoke with County Corp. Counsel Ron Kim, and he was told that the access previously identified is totally impassable. The landowner is ok with creating an alternative access. Jackson commented that this is old news and that the land owner has made no progress. The owner needs to clear it, survey it, and then an MOA would allow a government entity to maintain it moving forward. Ron Kim thinks the State will maintain it once built. Debbie said the subdivision permit has already been approved. Jackson asked what the landowner's incentive is to clear and create a passable access if the subdivision has already been approved. Debbie: good question.
  - d. #7 Humu'ula Trail. This is resolved in that the public has access.
  - e. #12 Kaloko Makai. We talked about earlier.



- f. #16 Kawaihae to Mahukona Ala Loa. Don't know what happened with the violation that occurred at Kohala Waterfront. No one seems to know what the resolution with Planning involves.
- g. #17 Keauhou Historic Trail System. No update. Jackson will follow up.
- h. #19 Kona Sea Ranch. No update.
- i. #22 Lava Lava Beach Club. Debbie expressed that in the last meeting it did not seem clear what the width of the buffer for the historic trails will be. Rick will follow up.
  - i. Mike asked about Kapalaoa. He had heard that there is a development planned. Rick said that the land has been sold, and he has heard of vegetation clearing going on.
- j. #23 'Ōhai`ula. Debbie asked if we could move this to inactive. Jackson agreed.
- k. #25 Puakea Bay Trail. Jackson is waiting for the HOA to get back with him. The new land owner has been away, and Jackson is also waiting to meet with him.
- l. #32 Waiākea Bicycle Park. Jackson said that he is consolidating many things in his report to the Board of Land & Natural Resources and this is one of them. He has started the MOA but not completed it.

V. NEW BUSINESS.

- A. Kawehi expressed the desire to work with Jackson on the problem with Waipi`o and Waimanu. Rick suggested he draft a letter we can vote on at the next meeting.
- B. Debbie said that the Historic Trail Guidelines subcommittee consisting of her, Maha, and Rick will be meeting to go out and take photos in order to draft any proposed changes.
- C. Chris expressed his willingness to help Jackson on a New Trails subcommittee or what is needed.

VI. NEXT COUNCIL MEETING. Next meeting will be in Hilo at the DLNR on January 22<sup>nd</sup> at 6:00PM

VII. ADJOURMENT. Riley called for a motion to adjourn. David motioned to adjourn and Maha seconded that motion. All were in favor. Meeting was adjourned at 8:20 pm.

ADA	Americans with Disability Act.
BIISC	Big Island Invasive Species Committee
CIP	Capital Improvement Program
DHHL	Department of Hawai'ian Home Lands
DLNR	Department of Land and Natural Resources
DOCARE	Division of Conservation and Resources Enforcement
DOFAW	Department of Forestry and Wildlife
DOT	Department of Transportation
GPS	Global Positioning Satellite
HDOT	Hawaii Department of Transportation
KCRA	Kohala Coast Resort Association
KRDC	Keauhou Resort Development Corp
KSBE	Kamehameha School Bishop Estate
NAH	Na Ala Hele
NAHA	Na Ala Hele Advisory (committee)
NARS	Natural Area Reserve System
OGR	Old Government Road
PONC	Public Access, Open Space and Natural Resources Preservation Commission
ROD	Rapid Ohia Death
ROHVA	Recreational Off Highway Vehicle Association.
SHPD	State of Hawai'i Historic Preservation Division

**Na Ala Hele  
Hawai'i Island Advisory Council**

**I. Public Testimony:**

- a. Those providing testimony at our meetings are guests of our Council. They are not Council members. They are invited to provide testimony. However, they do not have the right to question us, participate in our meeting, nor dialogue as we discuss our agenda.
- b. Shall be limited to 3 minutes, for each person.
- c. Written copies of testimony should be provided and included in the Minutes of meeting.
- d. Oral testimony must be provided in person.
- e. Testimony for a person that is not present can be turned into the Secretary for inclusion within the Minutes. It cannot be read at the meetings, as we will not have the opportunity to question the author. Electronic submittal of testimony will be allowed if provided to DOFAW 12 calendar days prior to meeting date. Otherwise, hard copies may be distributed at meeting.
- f. If testimony is being provided on behalf of an organization, it is required that the Board of Directors of the organization or a majority of the members of the organization must have voted in favor of the testimony. If this has not occurred, then it must be considered as solely the opinion of the person providing the testimony.

**II. Agendized presentations to the Council:**

- a. Time allowed for presentations is 10 minutes.

- b. It is likely that the Council will ask questions after the presentation is made. This Q&A period may continue for 10 – 15 minutes, at the discretion of the Chair of the Council.**

**r5/22/13**