

Nā Ala Hele

Hawai'i Island Advisory Council Minutes

Approved: April 20, 2022

Revised: none

MEETING DATE: February 23rd, 2022

PLACE: Remote Zoom Conference Call/Video

Voting Members Present:

Riley Smith – Chairman, Terrence Noda – Vice Chairman, David Rietow – Secretary, Christopher Seymour, Roger Kanealii Jr. (Maha), Kawehi Ryder, Nani Pogline, Chuck Flaharty

Voting Members Absent Excused:

Jeffrey Yamauchi,

Voting Members Absent Unexcused:

(none)

Invited Guest:

(none)

Public:

Bill Shantel, Dwayne Yoshita, Deborah Change, Klayton Kuba, Diane Ware, Toni Withington.

Ex-Officio:

Jackson of NAH, Kenny Wallace of NAH, Kau'i Lopes of NAH, Loke Davis of NAHA, Rick Gmirkin of Ala Kahakai National Historic Trails

Ex-Officio Absent:

- I. Call to Order (6:00 pm) Meeting was run by Riley Smith
- II. BRIEFING of new Sunshine Law procedures by Jackson. Jackson took question and answers.
- III. REVIEW and APPROVE MINUTES OF September 22, 2021. Riley identified the members of the public attending and the members of the council. Chuck motioned to approve the meeting minutes of September 22, 2021 and Terrence second. There was a discussion on the meeting minutes. Terrence noted that David's attendance of the statewide meeting was missing. Riley called for a vote on the meeting minutes. All were in favor, no one was opposed.
- IV. PUBLIC TESTIMONY (Three minutes maximum).
 1. Loke Davis introduced herself as a new member of NAH.
- V. UNFINISHED BUSINESS/COMMITTEE REPORTS
 - A. Nā Ala Hele Program update (Nā Ala Hele staff)

1. DOFAW crews routine maintenance – mahalo!
2. Kaulana Manu
3. Bathroom now open.
4. Waiākea ATV Park (Terrence)
5. Pololū Trail
 - a. Pololū Trail Stewards
 - i. 6-month pilot project (August – January) complete
 - ii. HTA extending funding + private donation
 - iii. Economic Development grant to fund for 1.5 more years and to replicate the program at other sites throughout the state. Not just NAH trails.
 - iv. Submitted competitive Economic Development Grant to fund for 4 more years.
 - b. Nothing to report on Land donation for parking/restroom
 - c. Governor released CIP planning monies.
 - i. Working on selecting consultant that will work with community to gather input.
 - ii. Preplanning meeting with stakeholders held on 1/6
6. Muliwai/Waimanu
 - a. October 14th 2021 met with County Parks & Recreation regarding future restrictions on Waipi’o Valley Road...they are committed to allowing permitted campers go down Road.
 - b. February 18th 2022 received notified by County Public Works that they intend to restrict pedestrian access on the Road and only Waipi’o residents are allowed to drive into the valley. Will be holding public meetings. The decision was the result of a report that was recently published.
 - i. The council had a lengthy discussion.
 - ii. Riley pointed out that the public meeting would likely happen before the next council meeting. Individually would could all testify as members of the general public. We could also nominate a member to speak on behalf of the council. This would require a motion and vote on tonight.
 - iii. The council drafted a motion. Chuck motioned to authorize a member of the NAHA council, to speak at a public meeting, that may or may not be held, with regard to access to Waipi’o Valley, that we oppose a total a total restriction of access to the valley, a moratorium/restriction of pedestrian access to the valley, assert the highways act, assert constitutional rights but at the same time understanding public safety issues must be addressed. Terrence second the motion. The council discussed the motion.
 - i. David motioned an amendment to say, the council is not opposed to limited access for the purpose of safety but is opposed to restriction access of general public to the valley. The council discussed the amended motion
 - ii. Terrence motioned an amendment to say, the NAHA

council is opposed to restricting public access to the Waipi'o Valley. Chuck second the amendment.

- iii. Riley asked for a primary and an alternate person to present testimony on behalf of the council. Chuck volunteered if it was held via zoom and suggested written testimony should also be submitted. Nani volunteered as the alternate.
 - iv. The council voted. All were in favor, none were opposed.
 - iv. Debbie asked how the road access restriction would impact revenue from commercial permitting on the Muliwai trail.
 - i. Jackson said he did not have the information in hand but could look it up.
 - ii. Terrence will put this on the next meeting agenda.
 - c. Maintenance trip Nov. 17&18
 - d. Carpenters replacing last toilet
7. Makāula-'O'oma trails
- a. Community volunteers helped to clear trails from fallen trees due to Dec. wind storm.
8. Kūlanihāko'i Mountain Bike Park
- a. Improved parking area and access road.
 - b. Chris reported appreciation for the access road improvement. As a result Friday afternoon rides there will be as many as 25 vehicles in the parking lot.
9. Upper Waiākea ATV/Dirt Bike Park – Terrence reports continued high ridership of all ages since the pandemic. Herbicide spraying to start up again on trails.
10. Pu'u Lā'au Road (R1) – Terrence reports they will start replacing signage.
11. Historic Trails Update:
- a. Hōkūlī'a
 - i. Inspected storm damage on 9/30 from August flash flood incident
 - ii. Attended Advisory Council meeting on December 13 2021.
 - b. Keahuolu
 - i. Met with Queen Liliuokalani Trust about development plans and preserving trail – they will preserve w/ buffers and deed to State. (9/30/21 and 1/19/22)
 - c. Kāheawai to Napu'uapele
 - i. Documented trail on 11/12/21
 - d. Kaiholena (N. Kohala) (mauka of highway)
 - i. Site visit on 12/8/21 looking at ancient trails
 - e. Kukuiopa'e
 - i. Zoom mtg w/ SHPD regarding fence project. Recommended "preserving alignment"
 - f. Attended site visit to Pālananui to look at DOFAW/UH partnership on 10/26/21. Potential recreational trails to be developed.
12. Other NAH program updates
- a. Starting process for NAH rule changes.

- b. Working meeting HTA grant requirements: installing trailhead interpretive kiosks.
 - c. Kupu interns continued to georeference old maps and trace ancient trails and features
 - d. Hired Loke Davis as our year-round Kupu 'Āina Corps program.
13. Access updates
- a. Kaupakuea Access to Hilo Forest Reserve (Nani)
 - i. The Hawaii County Game Management Commission sent a letter to the county planning department inquiring and requesting the development of legal public access to Kaupakuea about six month ago. No response.
 - ii. Recently heard Hawaii was getting 10 million in federal fund in support of sustainable fishing, hunting, and conservation. This may be a good time to pursue Kaupakuea considering it would primarily be used by hunters.
 - iii. Could a letter be written suggesting a cost sharing agreement between the county and state? Previously DOFA showed interest when the Finance Factors land was up for sale. Is the council interested in pursuing this?
 - i. Jackson reported he had spoken with the planning department about 6 month ago and has not heard back since. At that time the county was trying to get to the bottom of what is the obligations of the land owner and the obligations of the county as part of the condition of land subdivision agreement.
 - ii. Jackson reported that DOFA was interested in entering into an easement agreement back when the land barrier between the road and the forest reserve was owned by Finance Factors. That land has since been sold. DOFA is still interested however getting in touch with that land owner is a little bit more challenging.
 - iii. Nani volunteered to draft a letter to the county expressing NAHA support for a public access. The council will vote on the letter at the next meeting.
14. Public Hearing Notification (Jackson). Recently sent the council notification of a public hearing on Bills (HB1656 & SB2760). These are generally last minute and he will continue to notify the council as they come up.
- a. Chuck asked questions on why the bills were written to take affect July 1st 2050. Jackson replied that they are essentially written with the dates and budget open ended to allow for extended discussion vs a near term deadline where the Bill could die.
- B. Budget (Jackson). Previously due to the pandemic many vacant positions in DOFA were frozen including Trails Specialist IV. That topic is moving through the legislature to refund all vacant positions.
- C. Ala Kahakai National Historic Trail Update (Ala Kahakai National, Historic-Trails staff – Rick).
- 1. Lili'uokalani Trust. We will be going out on March 10th 2022 to conduct Lidar

scans of the existing trails section that is on their property as well as photogrammetry.

2. Kiholo to Puakō Trail. We will be collaborating with the Pu‘u Anahulu and Pu‘u Wa‘awa‘a community and dependents of on trails work we will be conducting in the next couple years. This will be workshops for the community and general public.
3. Q&A. Rick asked who the QLT representative they are working with. Rick said they are working with Mana Purdy (Director, Natural Assets and Operations – Kīpuka Kona) and Ambrose Cantan (Lead, Natural Resources – Kīpuka Kona).

D. Subcommittee Reports:

1. OHV Subcommittee (Terrence Noda, John Howerton). No update

E. Information/Update: Tracking Tool (Jeff Yamauchi).

1. #15 - Kaulana Manu Sanctuary. Terrence asked about the status of the bird survey. Jackson did not have the information but will provide it for the next meeting.

F. Ka‘uwehu (aka “Narnia”) (Nani). According the Lyman Museum archivist, Eric Page, Ka‘uwehu is the correct place name. Current conditions consist of random parking, vandalism, unmarked trails, ignored “No Trespassing”, no safety signage regarding potentially dangerous swimming conditions. If the council is interested in pursuing this area as a future program she would be willing to do further research.

1. Jackson commented that with the current responsibilities and resources of NAH, this was not of a priority or immediate interest. The land is unencumbered state property so people are not necessarily trespassing. Trespassing does become an issue upon at the confluence of the river. Properties are controlled by different entities. There is unencumbered land, DHHL land, and restricted watershed land.
2. Riley commented that if you wanted to pursue this for enhance public use, you need to find a champion who willing to take it upon themselves to secure funding. That person would be a politician.
3. Chuck asked Nani if the access trail falls under the highways act. Nani did not know.
4. Terrence asked if a user group was willing to take on the maintenance of the access trail would it something NAH willing to entertain. Jackson reiterated Riley’s comments that only if there was campion who was willing to take it upon themselves to secure funding could NAH consider taking it on as a program trail.
 - a. Terrence asked about trails such as the Kūlanihāko‘i Mountain Bike Park that existed prior to being a program trail.
 - b. Jackson said that was a special use permit agreement directly with DOFA.
 - c. Terrence asked if that was an avenue Nani could pursue? Jackson said because its unencumbered land she would need to work with the land division at DOFA.
 - d. Riley asked Jackson if his contact at land division was Gordon Heit? Jackson said yes and Riley suggested Nani get Gordon’s contact information from Jackson.

G. Ebike – Discussion on ebikes use on Nā Ala Hele Trails led by Chris

1. Chris outlined the 3 different classifications of ebikes.
 - a. Class 1 ebikes are limited to a top speed of 20 miles per hour, and the electric motor works only when the rider is pedaling. A bike that has an

electric motor that assists only during pedaling is called a pedelec. There is no throttle.

- b. Class 2 ebikes are also limited to a top speed of 20 miles per hour, but they have throttles that work when you're not pedaling.
 - c. Class 3 ebikes can go up to 28 miles per hour and must have a speedometer, but may or may not have a throttle.
 - d. Hawaii County allows Chris to sell class 1 & 2 ebikes.
2. Chris felt that as far as mountain bike trails are concerned Class 1 ebikes were appropriate. They act just like a regular bike except that they assist the rider up the hill but act just like a regular bike down the hill with no advantage.
 3. Jackson asked how an enforcement officer would be able to identify the 3 classifications. Chris said that class 2 & 3 would generally have some kind of throttle that could be identified.
- H. Council Member Concerns
1. Kawehi asked Rick if next time they are conducting trail maintenance in the Ka'ū district to contact him. He'd like to get the community kids involved. Also they are currently working behind the Punalu'u Bakery on a botanical-cultural garden with plants and rockwork. They are also building 3 hale's and a Hulapa.
 2. Chuck mentioned the new development called Kumu O at Waikoloa Development. There may be issues there with culturally sensitive sites and trails.
- I. Council member trail experience forum.
1. David shared his experience on the Kahauale'a trail, Pu'u 'O'o trail, 'Ohi'a & Pu'uwa'awa'a Cone trail (consecutive trails). Also a non-program trail was from Punalu'u Beach Park to Kāwā Bay trail and back.
 2. Riley suggested having pictorial presentation.

VI. NEW BUSINESS

- A. Discussion on renewal of Council Members terms (Jackson) – Every year council members terms get renewed and sent to the chair for approval.
1. Riley asked the council members if they were willing to stay on the council. All were in favor.
- B. Election of Council Officers (Riley) – The election of chair, vice chair, and secretary. Anyone wanting to take a turn is invited to do so.
1. Riley, Terrence, and David expressed their willingness to hand over their positions should anyone express interest rotating up and taking on more responsibility.
 2. Chuck made a motion to nominate Riley Smith as Chair, Terrence Noda as Vice Chair, and David Rietow as Secretary. Kawehi second the motion. All were in favor none were opposed.
- C. Letter of support for Waimanu caretaker homestead on DHHL lands (Kawehi). Kawehi will bring that letter to the next meeting.
- D. Set next meeting agenda – Jackson and Riley will work on the agenda.
- E. Set next meeting dates. The council agreed on April 20th at 6:00PM. The format hopefully will be in person in Hilo but definitely also via Zoom for those who cannot make the drive.
- F. Riley invited late comers from the public to have 3 minutes to speak
1. Diane Ware – spoke of here ideas for Waipi'o in regards to hiking to Waimanu Valley. She suggested a multi-level permit involving state and county that would

grant you access to Waipi'o for the purpose of hiking to Waimanu Valley. She also expressed the idea of a tollway model for the Waipi'o access road.

2. Loke Davis expressed her support for Class 1 ebikes on trails.

VII. ADJOURNMENT. Terrence motioned to adjourn and Chuck second the motion. All were in favor, none were opposed. Meeting ended at 8:15PM.

ADA	Americans with Disability Act.
AMP	Area Management Plan
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
GMA	Game Management Area
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
NELHA	National Energy Laboratory of Hawaii Authority
NRCS	Natural Resources Conservation Service
OCCL	Office of Conservation and Coast Land
OGR	Old Government Road
PONC	Public Access, Open Space and Natural Resources Preservation Commission
QLT	Queen Lili'uokalani Trust
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