



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

February 18, 2025

To: County of Hawai'i  
Windward Planning Commission  
c/o Hilo Planning Department Office  
101 Pauahi Street, Suite 3  
Hilo, HI 96720

Leeward Planning Commission  
c/o Kona Planning Department Office  
West Hawai'i Civic Center  
74-5044 Ane Keohokālole Highway,  
Building E, 2<sup>nd</sup> Floor  
Kailua-Kona, HI 96740

From: Terrence Noda, Chair *TN.*  
Hawai'i Island Nā Ala Hele Advisory Council  
c/o Division of Forestry and Wildlife  
19 E. Kawili Street  
Hilo, HI 96720

Re.: Testimony on the Hawai'i County Draft General Plan

Aloha Chairs DeFranco and Daniele and members of the Leeward and Windward Planning Commissions,

The Hawai'i Island Nā Ala Hele Advisory Council (Advisory Council) would like to express its appreciation for the volunteer service each of the Commissioners provides to Hawai'i Island. In response to Leeward and Windward Planning Commissions request for further public advice and assistance during their General Plan comprehensive review process, the Advisory Council would like to assist the county Planning Commissioners by providing the following comments and recommended amendments.

#### About the Nā Ala Hele Advisory Council

The Nā Ala Hele Advisory Councils were established by Hawai'i Revised Statute 198D to provide advice and assistance to the Department of Land and Natural Resources in implementing the Nā Ala Hele Program.

In addition, Hawai'i Revised Statutes §198D-9, "Other powers and duties of department [Department of Land and Natural Resources]", provides further guidance: "The department:

(4) Shall coordinate its activities under this chapter, including its compilation of the inventories and classifications of trails and accesses, with other public agencies;

(5) Shall advise and, when able, assist other public agencies in the development, construction, operation, maintenance, and regulation of trails and accesses under the other agencies' jurisdiction;...”.

#### Related Hawai'i County Code Chapter 34-4(b):

“The location of public shoreline and mountain areas and existing shoreline, coastal and public mountain trails shall be determined by the [Planning Department] director in consultation with the State department of land and natural resources and the department of parks and recreation and shall be established by rule pursuant to chapter 91, Hawai'i Revised Statutes. The director shall solicit such information from such agencies upon adoption of the ordinance codified in this chapter and from time to time thereafter. Such rules shall include maps depicting the public-owned areas and the approximate location of the existing public trails, and may provide for supplementation of listed areas and trails upon publication of notice in lieu of rule amendment. Provided, that the rules shall be amended not less than every five years to incorporate any supplemental changes made since prior rule adoption and to allow public comments on practices and procedures established under such rules.”

#### The Hawai'i Island Nā Ala Hele Advisory Council's Review of the Hawai'i County General Plans

At its February 12, 2025 meeting, the Advisory Council reviewed language related to public access, trails, recreation, and scenic resources in the:

- 1) current county General Plan adopted in 2005 (current GP),
- 2) draft General Plan 2040 released by the county Planning Department in 2019 (dGP2040), and
- 3) current draft General Plan 2045 released by the Planning Department in 2023 (dGP2045).

For your easy reference and comparison, we have excerpted the relevant Objective, Policies, and Actions and provided then in this letter the specific language reviewed in each of these plans as follows:

- 1) Appendix A, dGP2040
- 2) Appendix B, dGP2045
- 3) Appendix C, current GP

We have also included excerpts from the Ala Kahakai National Trail Memorandum of Understanding as the MOU directly relates to the county of Hawai'i in Appendix D.

During its review, the Advisory Council noted that both the dGP2040 and dGP2045 are complete rewrites of the current GP.

Because of this, one focus of our review was to determine the extent to which the dGP2040 and dGP2045 effectively include the Policies and Actions contained within the current GP. The Advisory Council found that the dGP2040 effectively includes all Policies and Actions related to public access, trails, recreation, and scenic resources in the current GP, while the dGP2045 does not.

Another focus was to compare the language within dGP2040 and dGP2045 related to public access, trails, recreation, and scenic resources.

The Advisory Council found that the dGP2040 contains 23 Policies, 26 Actions, and 6 Agency Actions related to public access, trails, recreation, and scenic resources, which are presented in a straight-forward, comprehensive, easy-to-understand, and organized manner.

However, the dGP2045 contains only 10 Policies and 3 Actions related to public access, trails, recreation, and scenic resources. Because of the lack of organization of these within the plan, the only practical means to find these was to:

- 1) go online to access the private contractor Konveio's, online website and software, and
- 2) learn how to use the software and key word searches.

We found the Policies and Actions are scattered throughout dGP2045, making it nearly impossible for a member of the public or professional planner to assess the extent to which public access, trails, recreation, and scenic resources are addressed, much less how to integrate existing laws, rules, regulations, and programs, when compared to the rationale and actions contained in dGP2040."

### Hawai'i Island Nā Ala Hele Advisory Council's Recommendations

**After its review, the Advisory Council finds that the Objectives, Polices and Actions related to public access, trails, recreation, and scenic resources contained within dGP2040 are far more comprehensive, complete, and actionable as compared to the dGP2045.**

**In addition, the Advisory Council finds that the Policies and Actions in dGP2040:**

- 1) **better identify relevant laws, rules, regulations, public involvement, and collaboration between the county and other agencies, including the Advisory Council, as they relate to public access, trails, recreation, and scenic resources,**
- 2) **better assure implementation of the General Plan as it relates to public access, trails, recreation, and scenic resources, and**
- 3) **contain the Scenic Resources Protection Programs and Strategies resulting from the Hawai'i County Scenic Resources Inventory and Mapping Project, which was specifically prepared and completed for the General Plan comprehensive review ,**

**For instance, the following Actions in dGP2040 are not listed in dGP2045:**

- 1) **Action 4.52, "Actively implement the Ala Kahakai National Historic Trail Memorandum of Understanding" (document attached),**
- 2) **Action 4.56, "Establish a County of Hawai'i Public Access and Trail Program with sufficient staff and resources. Staff will be required to consult/consider recommendations of this program in all permit reviews." The dGP2040 further lists the specific recommended elements of this program, and**
- 3) **Action 4.93, "Establish a Scenic Resources Protection Program to identify, inventory, and protect areas of significant beauty." The dGP2040 further lists the specific recommended elements of this program.**

**We noted that the Scenic Resources Protection Programs and Strategies are not contained within dGP2045, but are contained within dGP2040. Therefore, dGP2045 is not nearly as actionable as is dGP2040.**

### In Conclusion

The Advisory Council believes these recommendations represent a more comprehensive and rational approach to the subject of public access and trails. They are more actionable and better address the serious implementation concerns that members of public continue expressed since dGP2045 was first released in September 2023.

As such, the Advisory Council urges the Commissions to consider our recommendations for amending dGP2045 during your decision-making process.

Mahalo for this opportunity to comment.

## **APPENDIX A**

Recommended Amendments to Draft General Plan 2045 (Released in 2023), as Excerpted  
from Draft General Plan 2040 (Released in 2019)

### **PROMOTING ACTIVE LIVING THROUGH RECREATION, TRAILS, & PUBLIC ACCESS**

#### ***Public Access & Trails***

#### **SUSTAINABILITY OBJECTIVE**

Number of public access sites created through acquisition or easement or enhanced with assistance from CZM funding or staff.

#### **POLICY**

404. The County of Hawai'i shall establish: public access to and along the shoreline to significant historic sites, public transit along the top of cliff, streams and other natural water courses, mauka trails, facilities, and access to sites for gathering, hunting, and other recreational purposes and in accordance with Hawai'i County Code Chapter 34. [Rationale: Based on existing County Code 34, General Plan Policy 12.3 (l, m), Ka'ū CDP Policy 81, and Hāmākua CDP Policy 48]

405. Subdividers of six or more lots, parcels, units, or interests shall be required to dedicate land for public access for pedestrian travel from a public highway or street to the land below the high-water mark on any coastal shoreline or to areas in the mountains where there are existing facilities for hiking, hunting, fruit-picking, ti leaf sliding, and other recreational purposes, and where there are existing mountain trails. [Rationale: Based on existing HRS 46-6.5 and HCC 34-4(c).]

406. Prior to disposing of, leasing, or transferring public lands, including public roads or trails, public access potentials shall be assessed, documented and protected if public access use is in the public's interest. [Rationale: Based on existing HRS Section 46-1.5, Hāmākua CDP Policy 50, and General Plan 12.3 (n).]

407. Ensure that publicly owned historic trails and roads are properly identified, and consultation occurs to protect the public's interests. [Rationale: Based on the Highways Act of 1892, Hāmākua CDP Policy 50, and the General Plan 12.3 (n).]

408. Alignment of coastal trails shall consider flexibility for realignment for sea level rise and other dynamic shoreline changes. [Climate Change]  
[Rationale: Based on current status of some impacted coastal areas and research relating to projected sea level rise impacts on coastal assets. See also California Coastal Commission Sea Level Rise Policy Guidance.]

409. Determine the location and ownership of historic trails and roads as early as possible in the land use application process.  
[Rationale: Based on identified challenges with ownership of historic trails and roads and the subsequent legal implications. See also General Plan Policy 13.2.3 (q)]

410. Where a subdivision is traversed by a natural water course, drainage way, channel, or stream, the Planning Director should require a pedestrian, equestrian, and/or bicycle path when the opportunity exists to connect to existing or future drainage or trail corridors.

411. Trails may also be used as emergency access routes, where appropriate.

412. Support the development of a Rails to Trails type program to facilitate the conversion of old railway segments to a public trail network.

413. Seek private-public partnerships to manage and maintain public access to the shoreline, public trails, hunting areas, scenic places and vistas, and significant historic sites, buildings, and objects of public interest. [Public Access]

414. Explore options and collaborate with community groups to increase access to former sugar cane roads to be used as non-motorized trails where feasible and appropriate.

#### **ACTION**

4.49 Amend code to require bicycle and walking path easements be developed in urban areas to increase walkability and multimodal transportation options. [Code]

4.50 Work with the State and adjacent landowners in establishing old railroad right-of-ways as pedestrian and bicycle trails.

4.51 Identify by GPS coordinates all existing historic trail alignments that (a) have been recommended for preservation by SHPD, (b) appear on historic maps and/or are known by oral tradition, and incorporate these into the County GIS database.

4.52 Actively implement the Ala Kahakai National Historic Trail Memorandum of Understanding.

4.53 Appropriate, finance, allot, and encumber Capital Improvement Projects in support of trail development as part of a regional trail system.

4.54 Add public access requirements as listed in Hawai'i County Code Chapter 34 Public Access to apply to Chapter 23 Subdivision Code, SMA review, zoning code, special permits, etc. [Code]

4.55 Develop and implement a public-private program to establish and manage specific access points and trails.

### **SUSTAINABILITY OBJECTIVE**

Develop and maintain a public access program that integrates recreation, subsistence, and cultural access priorities.

### **POLICY**

415. Integrate Public Access into County department priorities in the following ways:

- a) Incorporate public access and development into a program overseen by the Planning Department as per Chapter 34.
- b) Integrate PONC property management and maintenance into the Parks and Recreation code in Chapter 2: Article 11 and Chapter 15: Parks and Recreation.
- c) Develop adequate staff to carry out the provisions of Chapter 2 Article 42, relating to the PONC maintenance fund (as per: Section 2-214.2 (b). Pursuant to section 10-16(c) of the Charter, the maintenance fund shall be administered and managed by the department of parks and recreation. Adequate staff to carry out the provisions of this article and section 10-16 of the Charter shall be provided in the department of parks and recreation.

[Rationale: Based on identified gaps in addressing or applying public access regulations and procedures consistently between the various County Departments. The County lacks capacity to fulfill its existing public access objectives without increasing staff capacity, maintenance capacity, and without having clearer directives between the various departments to implement a cohesive public access program.]

416. Integrate County public access priorities in all aspects of land use decisions and permit reviews.

417. Consistently integrate public access development and maintenance into Parks and Recreation department priorities.

418. Support facility development for access management at access points and along trail corridors.

## **ACTION**

4.56 Establish a County of Hawai'i Public Access and Trail Program with sufficient staff and resources. Staff will be required to consult/consider recommendations of this program in all permit reviews. Elements of this program may include:

- a) A comprehensive access inventory;
- b) A public access rating system to help with prioritization;
- c) Comprehensive reviews of projects (on public or private lands) that will affect public accesses and trails;
- d) Inventory of ancient trails, cart roads, and old government roads in coordination with appropriate State agencies.
- e) Public outreach and coordination element.
- f) Identify agencies/groups to develop, administer, and maintain public accesses, including developing County capacity for this purpose;
- g) Identify funding sources to purchase and manage public access easement to priority areas;
- h) When public access goals will involve several landowners, acquire the public access incrementally as opportunities arise to do so;
- i) Public accesses that cross private land will be acquired and held until appropriate management of the accesses is in place;
- j) Collaborate with State and Federal agencies on public accesses that require multi-agency involvement;
- k) Develop a standardized template to promote consistency and comprehensiveness in the public access plans required by landowners;
- l) Partner with community organizations capable of assisting with public access management;
- m) Work with State agencies (particularly with DOFAW) to coordinate, survey, develop, and manage public trails and roads leading to forest reserves;
- n) In co-sponsorship with the State when possible, acquire land for public access to historic sites and objects and to the shoreline where safe transit does not already exist;
- o) Reinstitute a Public Access Wayfinding program managed by the Planning Department to assist interested community groups in maintaining appropriate signage at public access points;

- p) Provide cultural and safety information at trailheads;
- q) Provide for substantive community input to the County Planning Department and the County Council in order to finalize and accept priority access. Include community input in program policy.
- r) Whenever the County assumes the responsibility for posting and maintaining signage and maintaining public accesses and other public infrastructure, a specific County agency will be identified and assigned the aforementioned responsibilities. [Code, Public Access]

4.57 Amend the subdivision code to better address public access issues in the following ways:

- a) Revise/Develop enforcement protocols for public access violations, including fines for noncompliance and mechanisms to remove private obstructions from public accesses;
- b) Review Hawai'i County Code Chapter 34 requirements for public access standards, including design that fits into surrounding community, environment, and conditions. Establish parameters for requiring appropriate right-of-way, parking, and comfort stations for various types of public accesses/trails and incorporate these into Chapter 34;
- c) Amend Hawai'i County Code Chapter 34 to develop a clear methodology to modify public access routes in order to adapt to sea level rise, landslides and erosion, and other impacts related to environmental impacts and climate change;
- d) Amend Hawai'i County Code Chapter 34, Rule 21, Chapter 23, and Chapter 25 CA 1.1.1 to ensure access and trail rights-of-way during subdivision. [County Code]

4.58 Complete an inventory and database of significant natural resource areas with recreational and trail connectivity value.

4.59 Adopt an on-going program of identification, designation, and acquisition of areas with existing or potential recreational resources, such as land with sandy beaches and other prime areas for shoreline recreation in cooperation with appropriate governmental agencies.

4.60 Develop procedural rules and templates for public access agreements and Grant of Easement (GOE) to facilitate consistency and to provide mechanisms for tracking, follow-through, and geographic information system (GIS) identification in County of Hawai'i systems, etc.

4.61 Develop procedural guidelines for renegotiating access agreements.

4.62 Renegotiate public accesses that were developed prior to Chapter 34 to be consistent with Chapter 34.

4.63 Evaluate and initiate Charter & code amendments related to Public Access, Open Space and Natural Resource Preservation (PONC). These may include:

a) Clearly distinguish categories of PONC property, such as active or passive use, conservation, restoration, natural buffer areas, access uses, etc. (for

### **AGENCY ACTION**

4.67 Coordinate with State agencies to improve access and access/trail management resources (including policies, conditions, identification, cataloguing, enforcement, maintenance, etc.).

4.68 Consider establishing a working group with surrounding land owners and the user-community to educate users and manage ATV use to ensure that non-pedestrian allowances are not permitted within sections of modern trails that overlap, are congruent, or correspond to ancient or historic trails and its associated features.

4.69 Coordinate with hunting associations and other land stewards, to establish clear hunting policies and disseminate education regarding these policies.

4.70 To facilitate greater public access to and along the shoreline and elsewhere, amend Hawai'i Revised Statutes 520, Hawai'i's Recreational Use Statute (RUS), to make it less ambiguous and to discourage frivolous lawsuits.

### **SUSTAINABILITY OBJECTIVE**

Increase participation in scenic preservation programs (Heritage Corridors, Scenic Byways, Scenic Corridors and Exceptional Trees)

### **POLICY**

447. Hawai'i County shall use the following place types as guidelines for designating sites and viewsheds that shall be protected:

- a) Distinctive and identifiable landforms distinguished as landmarks and/or cultural landscapes, e.g. Mauna Kea, Waipi'o Valley.
- b) Coastline areas of striking contrast, e.g. Laupāhoehoe Point
- c) Vistas of distinctive features

- d) Natural or native vegetation attractive to a particular area.
- e) Landscapes that are harmoniously developed, enhanced by man while maintaining their natural appearance, e.g. Pu'ukoholā, 'Akaka Falls.
- f) Lands with a general slope of 20 percent or more that provide open space amenities or possess unusual scenic qualities.

[Rationale: Based on the Standards from General Plan 7.4 (a-e) and 8.4 (c).]

448. Visual impact assessments shall include photo simulations or balloon tests with views from various vantage points to show visual impact of a proposed project.

[Rationale: Creating visual modeling through photo simulations or balloon tests are common strategies used in visual impact assessments in other municipalities. These visual impact assessment tools would help achieve General Plan 7.2 Goals and policies 7.3 (b, e, h, i).]

449. Prioritize maintaining the views at scenic overlooks with a frequently maintained vegetation management program which includes eradication of invasive species. Coordinate this work with regular roadway vegetation management maintenance program.

[Rationale: Based on identified challenges with vegetative management of existing scenic overlook and the prevalence of the views being obstructed by invasive species or other vegetation. See also Hāmākua CDP 38, Kōkua Action 9, and General Plan 7.2 (b), 7.3 (a, b, c, f).]

450. Maintain a continuing program to identify and inventory exceptional trees, forest areas, or groves/stands of trees.

[Rationale: Based on Standards from General Plan 7.3 (g) and policies 7.4 (a-e) 8.3 (j, k, m).]

451. Maintain the Exceptional Tree Program for the recognition and protection of trees with significant or unique historical, ecological, cultural and/or aesthetic significance.

[Rationale: Based on General Plan policy 7.3 (g).]

452. No variance shall be granted unless appropriate conditions are imposed to minimize adverse impacts on public views to, from, and along the shoreline.

[Rationale: Based on Hāmākua CDP Policy 17, General Plan goals 7.2 (a-c), and policies 7.3 (b), 8.3 (c, d). See also HRS 205A.

453. Do not allow incompatible development in areas of natural beauty that have been identified through the Scenic Resources Protection Program.

[Rationale: Based on an identified need to identify natural beauty areas through a scenic resource protection program and restrict development appropriately to ensure scenic resources are not lost to development. Based also on General Plan policies 7.3 (h, i).]  
[Mapping]

454. Applications for Special Permits and environmental assessment reports for proposed changes of zone on property that may impact open space, viewsheds, and areas of natural beauty shall include visual impact assessments and propose conditions to mitigate scenic impacts.

[Rationale: Based on identified needs to protect scenic resources, open space and natural beauty in the special permit process. Also based on Hāmākua CDP policy 33 and

## **ACTION**

4.88 Develop and establish viewshed regulations to preserve and protect from obstruction scenic resources, vistas, viewsheds, open space, prominent landscapes, and areas of natural beauty identified in the General Plan.

4.89 Develop and maintain a program to identify, inventory, preserve, acquire, and develop (where appropriate) viewing sites on the island. [Transportation]

4.90 Collaborate with the State to modify zoning on publicly-owned parcels that have been identified as having special cultural and/or scenic value. [Land Use]

4.91 Identify valued scenic resources in the Coastal Zone Management area. [Land Use, Mapping]

4.92 Identify and develop scenic lookouts along highways to ensure important views (coastal, mountain, and waterfall) are preserved from development, create various opportunities to view these scenic resources, and develop a vegetation maintenance program.

4.93 Establish a Scenic Resources Protection Program to identify, inventory, and protect areas of significant beauty. The program would include:

- a) Rate viewsheds and roadway corridors documented in the Scenic Resources
- b) Inventory and Mapping Project (June, 2016)
- c) Develop scenic resource and viewshed corridor maps
- d) Develop administrative rules to implement Hawai'i County Code section 25-6-60
- e) Develop Scenic Corridor Management Plan(s) for specific corridors identified. Scenic Corridor Management Plan(s) should include permit conditions, such as design

guidelines, landscaping, screening, or structural setbacks from major thoroughfares and highways, to mitigate any visual impacts from development.

- f) Prepare Urban Design and Scenic Resource Protection Guidelines
- g) Staff and Planning Commission Training;
- h) Set Guidelines for Development Compatibility Standards. [Program]

4.94 Develop, maintain, and implement design standards to protect important viewsheds and ensure structural setbacks from major thoroughfares and highways.

4.95 Develop Scenic Corridor Management Plans.

4.96 Adopt administrative rules to implement Hawai'i County Code for Scenic Corridors.

4.97 Perform a feasibility study on developing a scenic route from Waipi'o Valley Lookout extending mauka to connect Mud Lane at the entrance of Waimea and a scenic park with a viewing area of Hi'ilawe Falls.

4.98 Coordinate with the State to upgrade the viewing site from the rim of Pololū Valley.

#### **AGENCY ACTION**

4.99 Encourage the State to develop and maintain scenic lookouts along highways where appropriate to ensure ocean, mountain, pastoral, and waterfall views are preserved from development, and coordinate a regular roadway vegetation maintenance program.

4.100 Consider adding/improving viewing locations and interpretive signage near the scenic bridges for safe parking and views of the areas' waterfalls and coastline and along Saddle Road (Route 200) for views of the summit.

## APPENDIX B

### Relevant Objectives, Policies, and Actions from Draft General Plan 2045

*Note: All Objectives, Policies, and Actions related to public access, trails, recreation, and scenic resources are included in Appendix B in order for the Commissions to easily understand the contrasts between dGP2040 and dG2045. The Advisory Council determined that public access, trails, recreation, and scenic resources are not presented in an organized manner and that dGP2045 is clearly insufficient as compared to dGP2040. dGP2040 is far more comprehensive and actionable.*

## 2. Collaborative Biocultural Stewardship Goal, Objectives, Policies, and Actions

### Objective 2

Preserve and enhance the health and function of watersheds to promote water recharge, improve water quality, and reduce runoff.

Policy 2.5 Watershed management planning should recognize the ecosystem service value of watersheds and open space to protect scenic vistas and aesthetic values; water recharge; carbon sequestration; oxygen production; habitat enhancement and preservation; fire suppression and fuel load management; soil conservation; preservation of cultural values; and the potential for additional public access and recreational opportunities.

### Objective 4

The historical integrity, character, scenic assets, and open spaces of our communities are protected, restored, and treated as unique assets with significant social and economic value and managed in perpetuity.

Policy 4.2 Increase public access opportunities to scenic places and vistas.

Policy 4.3 Public access to significant historic sites and objects should be acquired, where appropriate.

## 4. Land Use, 1.4 Urban Growth Areas

### Objective 13

Increase the use of Smart Growth principles to focus development within designated urban centers.

Policy 13.6 The establishment of urban types of zoning may include additional acreages to account for acreages utilized for public benefits, such as historic sites, public access, parks, and open space.

Policy 13.43 Coastal resort developments shall provide public access to and public parking for beach and shoreline areas.

Policy 13.44 The development or designation of new resort areas should complement the character of the area; protect the environment and natural beauty; respect existing lifestyles, cultural practices, and cultural resources; and provide shoreline public access.

#### **4.2.3 Active Living Corridors and Public Access**

##### Objective 17

Increase transportation connectivity.

Policy 17.5 Ensure that existing active living corridors that are publicly owned or available by easement are properly identified and that their access elements are secured and documented.

- a) Primary examples include but are not limited to historic trails and roads, roads-in-limbo, 'paper roads', former sugar cane roads, train infrastructure remnants (Rails to Trails), and pedestrian and bicycling paths.
- b) "Acceptance" by the County of the responsibilities detailed in the grant of easements should require County Council action and a dedicated funding source.

Policy 17.6 Provide public pedestrian access opportunities to scenic places and vistas.

Policy 17.7 Establish public access to historic and modern active living corridors and facilities that provide an island-wide route and connect to major destinations.

Action 17.a Develop and adopt a program to establish public access to historic and modern active living corridors and facilities that provide an island-wide route and connect to major destinations.

#### **4. Public Facilities and Services; 4.6 Recreation**

##### Objective 35

Park facilities are located within a 10-minute walk in urban areas and a 10-minute drive in rural communities.

Policy 35.19 Prioritize park acquisition and improvements that involve under-represented open recreation and healthy living activities (outside the scope of organized sports), such as:

a) Walking and biking trails

Action 35.d Partner with government, private and nonprofit agencies, and other stakeholders to initiate joint agreements for funding, management, and maintenance for recreation, shared use spaces, hardened shelters, and public access priorities.

Action 35.cc Expand active open recreational opportunities at the Pana'ewa Rainforest Zoo and Equestrian Center properties such as bike/walking trails, horse trails, dog-friendly trails, and other outdoor recreation that would complement the Pana'ewa complex.

## **5.0 Thriving, Diverse, and Regenerative Economy; , 4.1 Visitor Industry Goal, Objectives, Policies, and Actions**

### **Objective 48**

Support the visitor industry investment in its connection with communities, the 'āina, and our historic and multicultural heritage.

Policy 48.6 Support the coordination, collaboration, and improvement of public access to natural and cultural resources with State agencies and landowners while balancing the need for protection of these areas.

## APPENDIX C

### Relevant Language Excerpts from current General Plan adopted in 2005, as amended

*Note: The elements, formatting, organization, and language in the current General Plan were completely replaced by dGP2040. dGP2045 has completely replaced the elements, formatting, organization and language of both. The Advisory Council determined that dGP2040 was inclusive of the current GP's Objective, Policies, and Action, while dGP2045 does not. We also noted that the county Charter lists "standards" in the elements to be contained within any General Plan. However, both dGP2040 and dGP2045 do not contain the Standards in the current GP. The Advisory Council will defer to the Commissions to determine whether or not dGP45 should contain Standards.*

## HISTORIC SITES

### 6.3 POLICIES

- a) Agencies and organizations, either public or private, pursuing knowledge about historic sites should keep the public apprised of projects.
- b) Amend appropriate ordinances to incorporate the stewardship and protection of historic sites, buildings and objects.
- c) Require both public and private developers of land to provide historical and archaeological surveys and cultural assessments, where appropriate, prior to the clearing or development of land when there are indications that the land under consideration has historical significance.
- d) Public access to significant historic sites and objects shall be acquired, where appropriate.
- e) Embark on a program of restoring significant historic sites on County lands. Assure the protection and restoration of sites on other public lands through a joint effort with the State.
- f) Encourage the restoration of significant sites on private lands.
- g) Collect and distribute historic sites information of public interest and keep an inventory of sites.
- h) Aid in the development of a program of public education concerning historic sites.
- i) Signs explaining historic sites, buildings and objects shall be in keeping with the character of the area or the cultural aspects of the feature.
- j) Develop a continuing program to evaluate the significance of historic sites.
- k) Develop policies to protect Hawaiian rights as identified under judicial decisions.
- l) Support the establishment of Hawaiian Heritage Corridors.
- m) All new historic sites placed on the State or Federal Register after the adoption of the general plan shall be included in the General Plan.
- n) Consider requiring Cultural Assessments for certain developments as part of the rezoning process.
- o) Recognize the importance of certain natural features in Hawaiian culture by incorporating the concept of "cultural landscapes" in land use planning.

### 6.4 STANDARDS

- a) The evaluation of the importance of specific historic sites is necessary for future action. The following standards establish a framework for evaluating sites.
- b) Importance in the life or activities of a major historic person.
- c) Associated with a major group or organization in the history of the island or community.

- d) Associated with a major historic event (cultural, economic, military, social, or political).
- e) Associated with a major recurring event in the history of the community (such as annual celebrations).
- f) Associated with a past or continuing institution that has contributed substantially to the life of the community.
- g) Unique example of a particular style or period.
- h) One of the few of its age remaining.
- i) Original materials and/or workmanship that can be valued in themselves.
- j) Sites with a preponderance of original materials in context and complexes rather than single isolated sites unless they are of great significance.
- k) Sites of traditional and cultural significance.

## 6.5 DISTRICTS

*Note: All **Courses for Action** in all nine districts include:  
“Support the establishment of Hawaiian Heritage Corridors.”*

Tables 6-1 through 6-8 list “Historic Sites” for each district.

## NATURAL BEAUTY

### 7.3 POLICIES

- a) Increase public pedestrian access opportunities to scenic places and vistas.
- b) Develop and establish view plane regulations to preserve and enhance views of scenic or prominent landscapes from specific locations, and coastal aesthetic values.
- c) Maintain a continuing program to identify, acquire and develop viewing sites on the island.
- d) Access easement to public or private lands that have natural or scenic value shall be provided or acquired for the public.
- e) Develop standard criteria for natural and scenic beauty as part of design plans.
- f) Consider structural setback from major thoroughfares and highways and establish development and design guidelines to protect important viewplanes.
- g) Maintain a continuing program to identify exceptional trees or tree masses.
- h) Protect the views of areas endowed with natural beauty by carefully considering the effects of proposed construction during all land use reviews.
- i) Do not allow incompatible construction in areas of natural beauty.

### 7.4 STANDARDS

The following standards provide guidelines for designating sites and vistas of extraordinary natural beauty that shall be protected.

- a) Distinctive and identifiable landforms distinguished as landmarks, e.g. Mauna Kea, Waipio Valley.
- b) Coastline areas of striking contrast, e.g. Laupahoehoe Point.
- c) Vistas of distinctive features.
- d) Natural or native vegetation attractive to a particular area.

e) Areas that are harmoniously developed and enhanced by man to appear natural.

Note: Tables 7-1 through 7-16 list “Natural Beauty Sites” and “Exceptional Trees” for each district.

## **NATURAL RESOURCES AND SHORELINE**

### **8.3 POLICIES**

(e) Coordinate programs to protect natural resources with other government agencies.

(q) Develop policies by which native Hawaiian gathering rights will be protected as identified under judicial decisions.

(r) Ensure public access is provided to the shoreline, public trails and hunting areas, including free public parking where appropriate.

(s) Establish a system of pedestrian access trails to places of scenic, historic, cultural, natural, or recreational values.

## **RECREATION**

### **12.3 POLICIES**

(l) Public access to the shoreline shall be provided in accordance with an adopted program of the County of Hawaii.

(m) Develop a network of pedestrian access trails to places of scenic, historic, natural or recreational values. This system of trails shall provide, at a minimum, an islandwide route connecting major parks and destinations.

(n) Establish a program to inventory ancient trails, cart roads and old government roads on the island in coordination with appropriate State agencies.

(o) Develop facilities and safe pathway systems for walking, jogging, and biking activities.

## APPENDIX D

### Excerpted Language from the Ala Kahakai National Historic Trail Memorandum of Understanding

*Note: It is critical that dGP2045 contain specific reference and compliance requirement within the Ala Kahakai National Historic Trail Memorandum of Understanding. The MOU requires the parties to the MOU to meet in September 2025 to discuss whether or not any terms of the MOU should be updated or amended*

**MEMORANDUM OF UNDERSTANDING BETWEEN  
THE NATIONAL PARK SERVICE,  
UNITED STATES DEPARTMENT OF THE INTERIOR,  
STATE OF HAWAII, AND  
THE COUNTY OF HAWAII FOR  
THE IMPLEMENTATION, MANAGEMENT, PROTECTION AND PUBLIC USE OF ALA KAHAKAI  
NATIONAL HISTORIC TRAIL**

This Memorandum of Understanding ("MOU") is entered into, by and between the United States Department of the Interior National Park Service, ("NPS") the State of Hawaii, by Its Department of Land and Natural Resources, ("DLNR") and the County of Hawaii ("County") for the purpose of managing the Ala Kahakai Natk:>nal Historic Trail (Trail).

#### ARTICLE II: AUTHORITY

- A. National Trails System Act of 1968, as amended ("the Act")(16 USC 1241-1252),
- B. Hawaii Constitution Art. IX, section 8, Art. XI, sections 1, 2 and 9, Art. XII, section 7; Hawaii Revised Statutes (HRS) Chapters 6E, 115, 171,183C, 184, 198D, 205A, sections 1-1, 7-1, 46-6.5, 46-12, 226-11, 264-1; Hawaii Administrative Rules (HAR) Chapters 13-130, 13-146, 13-221, 13-275 to 13-284, and 13-300; as may be applicable
- C. Hawaii County Code, Chapters 25 and 34

#### ARTICLE III: STATEMENT OF WORK

D. The appropriate County Departments agree to:

- 1. Through the County Planning Department:
  - a. Continue to enforce county and state laws requiring public access to and along the shoreline as a condition of land use approvals and coastal zone management issues. These trails may become official components of the Trail.
  - b. Require that permit applbants identify any historic trails and routes that will be required to be preserved as part of the land use permitting process and that may become part of the Trail. Such geospatial information and supplemental documentation shall be in formats utilizing current industry standards for collection, compilation, processing, analysis and archiving (including Federal Geographic Data Committee [FGDC] compliant metadata). This data and information may be made available by the County for incorporation into official Trail records and documentation.

- c. Encourage private landowners who have public access requirements as conditions of a land use approval to execute an agreement with the NPS to include these areas in the Trail, where appropriate.
  - d. Work with the NPS to identify public access easements with potential incorporation in the Trail.
  - e. Work with the NPS to develop a system whereby project applications determined to have potential impacts on historic trails within the Ala Kahakai corridor are sent to the Ala Kahakai NHT administration for review and comment. The notification system will provide approving agencies and applicants clear guidelines on when the Ala Kahakai NHT should be included in the review process. Such applications include Subdivisions, Special Management Area Assessments and Use Permits, Special Permits, Grading, Project Districts, Rezoning, State Land Use District Boundary Amendments, Leases of State-owned lands, Environmental Assessments, and Environmental Impact Statements. The County agrees to contact the NPS regarding these reviews in a timely manner.
2. Through the County Parks and Recreation Department
- Upon notification by NPS, allow NPS access to County Beach Parks for the purpose of identifying and documenting existing ancient, historic and contemporary trail routes to be included in Trail design and interpretation; Research, survey, document and assess other cultural and natural resources for preservation, planning, interpretation, and the determination of future potential impacts.
- a. Work with the NPS to identify trail segments through county parks for incorporation into the Trail.
  - b. Consider feasibility of permitting NPS led community based management of sections of the Trail within County Beach Parks.
  - c. Provide management of the Trail consistent with the NPS Comprehensive Management Plan where it traverses County Beach Parks.
  - e. Collaborate on the design of specific signage that identifies the route of the Trail, particularly where it traverses County Beach Parks.
3. Through the County Department of Finance - Property Management Division
- a. Upon notification by NPS, allow NPS access to County lands purchased through Public Access, Open Space and Natural Resources Preservation Commission (PONC) for the purpose of identifying and documenting existing ancient, historic and contemporary trail routes to be included in Trail design and interpretation; Research, survey, document and assess other cultural and natural resources for preservation, planning, interpretation, and the determination of future potential impacts.
  - b. Work with the NPS to identify trail segments through County PONC Lands for incorporation into the Trail.
  - c. Consider feasibility of permitting NPS led community based management of sections of the Trail within County PONC Lands.
  - d. Collaborate on the design of specific signage that identifies the route of the Trail, particularly where it traverses County PONC Lands.
  - e. Provide management of the Trail consistent with the NPS Comprehensive

Management Plan where it traverses County PONC Lands.

#### **ARTICLE IV: TERM OF MOU**

This MOU will remain in effect for ten years, beginning on the date of the last signature below. A meeting at five years from the date of the last signature will be conducted to consider whether any of the terms of this agreement need to be updated or amended. This MOU may be renewed upon mutual agreement between the Parties.

#### **ARTICLE V: KEY OFFICIALS**

A . Key officials are essential to ensure maximum coordination and communication between the parties and the work being performed. They are:

##### For the NPS

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##### For DLNR

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##### For the County

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