

Acronyms:

NPS – National Park Service

KAHO – Kaloko-Honokōhau National Historical Park

PUHO – Pu‘uhonua o Hōnaunau National Historical Park

ALKA – Ala Kahakai National Historic Trail

DLNR – Department of Land and Natural Resources, State of Hawaii

CWRM – Commission on Water Resource Management

SHPD – State Historic Preservation Division

MOA – Memorandum of Agreement

FWS – US Fish and Wildlife Service

The meeting was held at the Kaloko Fishpond, Kaloko-Honokōhau National Historical Park

AGENDA

- Welcome, Pule, introduction
- Approval of minutes (**Handout 1**)
- Chairman’s Report
 - Recommendations/ discussions on moving forward on commission vacancies
 - Letter to the Director- follow up (**Handout 2**)
 - Cultural Center and Halau Ike
- Superintendent’s Report
 - Water Management Area – recent efforts, upcoming events (**Handout 3**)
 - Update on nominations
 - Recruiting plan (**Handout 4**) (please provide comments to me by December 26th)
 - Will be reviewing the compendium
 - Meetings for 2015
 - Dates –propose 1st Friday of the month (except for February) - Feb 20, May 1, Aug 7, Nov 7th - These months are better for the park than some of the others and Friday's seem to be working.
 - Location- continue alternating locations?
- Division reports (**Handout 5**)

- Subcommittee reports
 - Park visitor facilities (chair- Dick Kuehner)
 - Water resources (chair- Fred Cachola)
 - Community based management off shore Marine Resources- **on hold-**
(Chair- Isaac “Paka” Harp)
 - Commercial Use Permits (Chair- Keola Lindsey)
 - Superintendents compendium (Chair- Fred Cachola)
 - Loko’ia - Fish pond (Chair- Isaac “Paka” Harp)
- Public comments
- Summary and closure

Beginning (9:35):

There was lack of quorum. With input from the Commissioners present, Chairman Cachola decided to hold a sub-committee meeting until other Commissioners arrived.

Attending:

Officio Members (voting members): Fred Cachola (Chairman), Isaac “Paka” Harp, and Kaliko Chun, Keola Lindsey (arrived 10:41)

Ex Officio Members (non-voting): Tammy Duchesne (Superintendent, Kaloko-Honokōhau NHP (KAHO); Designated Federal Officer for Commission), Richard “Dick” Kuehner (appointed by Governor Neil Abercrombie) and Melia Lane-Kamahele (Manager Pacific Islands Office NPS)

Observers: Rae Godden (Chief of Interpretation Kaloko-Honokōhau NHP and Pu‘uhonua o Hōnaunau), Jeff Zimpfer (Environmental Protection Specialist Kaloko-Honokohau NHP), Tyler Paikuli-Campbell (Cultural Resource Manager, Kaloko-Honokōhau)

Commissioner Ulu Ching informed the Superintendent Duchesne before the meeting that she could not attend.

Commissioners Mikahala Roy, Nicole Kealohaokalani Lui, George “Keoki” Kiili, Jr and Samson Harp were absent.

Sub-Committee Meetings:

Park Visitor Facilities Subcommittee: (Commissioner Kuehner, Chair)

- A. Display cases for visitor center project:
 - Completion of 4 octagonal display cases (2 for KAHO and 2 for PUHO)

- Donation of labor; park will cover the cost of materials and reimburse Commissioner Kuehner
- Donation of 345 hours by Commissioner Kuehner to build the 4 cases
- Cost per case is probably \$4-6K on the commercial market
- Cases will increase visitor and employee knowledge, respect and appreciation of resources so there might potentially be less damage and more awareness

B. Makani Hou and Queen Kaahumanu Mitigation:

- Exhibit of the historical landscape (electronic and geophysical models)
- MOA signed by SHPD
- Use model to show trail system (mauka-makai) in the area; bisection of trail by the Queen Kaahumanu highway construction – help to visualize alterations to the landscape done by the highway installation
- Time sequence of changes
- Chairman Cachola stated this is another possible project for the park
- **ACTION:** Commissioner Harp suggested Rick Gmirkin ALKA could take the lead for the GIS data and information to create the time sequences for the exhibit

Loko I'a Subcommittee: (Commissioner Harp, Chair)

A. Loko I'a Hui:

- **ACTION:** Request to set up meeting with other practitioners along the Kona coast
- Tyler Paikuli-Campbell and Chad Wiggins (TNC) re: meeting and scheduling in the future
- Kiholo – practitioners gathering – overnight campout

B. Streamline Permitting Process Ongoing:

- State 106 and SHPD
- Federal agencies including Army Corps of Engineers
- KAHO – 106 1997/1998 consultation completed
- Does the federal agency have to implement state rules in the ponds? i.e. Kaloko?
- Restoration management
- Proposal to develop a West Hawaii Loko I'a Hui (Kiholo + Kaloko +Mauna Lani)
- Commissioner Chun wanted to know the difference between restoration, rebuilding (terminology and definitions)
- Tyler Paikuli-Campbell – Secretary of the Interior language in National Historic Preservation Act defines under law and regulation –
 - Need site visits during review process
 - Assess sites, impacts, turbidity
- Commissioner Harp – restore (and use, adaptive reuse) or rebuild (can add slight modifications)
 - Need for clarity at the state and federal levels re: terminology
- Chairman Cachola – 3 fishponds at KAHO are prominent features (stories are most important)
 - Park's cultural message re: fishponds = high priority

- Aimakapa
- Question – how far away from creating a W. Hawaii fishing hui? Could the group work together?
 - Direct benefit of operations would allow the collaboration possibility
 - Not moving money, but rather time, services and in-kind
 - Balance predator populations
 - Kiholo – turtle concerns re: installation of makaha
 - Turtle poaching (ongoing issue at Kiholo)
 - No enforcement at management
- Question – What is park’s position on poaching?
 - Not allowed at park
 - Law Enforcement at KAHO stepping up; cameras for surveillance being stolen
 - Poaching occurring at Aimakapa?
 - FWS engagement re: protected species – Is assistance possible?
 - Dead fish on the wall
 - Coolers going out in the daytime, cameras stolen
 - Migratory birds as well as waterfowl and seabirds
 - Turtle poaching at Aiopio?
 - Selected, opportunistic poaching is a problem at the park
- Question – can a formal inquiry be made to the FWS for assistance and request solutions to address the suspected poaching?
 - Note: Commissioner Harp identifies that there are mice at Lake Waiau which he saw on a recent trip up there and cats at HAVO are killing ground nesting native birds
- **ACTION:** Recommendation is an inquiry from park staff to FWS – deferred to Jeanette Chiron to handle on behalf of KAHO and report back to extent possible for next meeting.

Superintendent’s Compendium Subcommittee: (Tammy Duchesne)

- August 2014 last compendium signed by Tammy Duchesne
 - Incorporated a national prohibition on use of drones and UVAs
 - Revised number of persons limit for gatherings (now required for >35) re: non-commercial Special use permits
 - Re-evaluation in Fall of 2014; seek revisions, updates and input from park staff
 - Spear fishing tournaments topic
 - Signage revisions per recommendation/suggestion from Commissioner Kuehner to put a more positive tone to signage
- **ACTION:** Send out current compendium (as signed) to Advisory commission; evaluation by park staff in Spring 2015; request Advisory commission input and revisions/comment after that.
- Question from Commissioner Chun –fishing in Kaloko by pole or rod/reel only allowed? (page 3 of compendium)

- Allowed to fish from wall with poles up to the safety gate
- Not on bird point
- No water entry
- Commissioner Harp – pole/line – risk of losing equipment and issues with junk left in the pond (lines, sinkers, hooks)
 - What about use of traditional fishing systems? Why no requirement to use them only?
 - Risk of liability from pole/line fishing on the wall (people falling into pond)?

Commercial Use Permits: (Keola Lindsay, Chair)

- Current activities at the park that take place include weddings, hikes, guided tours and surf lessons
- Recommendation by the Advisory Commission?
- Commissioner Lindsey – What is the responsibility and relationship of the vendor to the place? Is there a requirement for a reciprocal relationship? He will prepare a more formal write up.
- Commissioner Chun – Vendor activity related to purpose and mission of the park? Is it possible to restrict commercial activities within the waters of the park or in the park?
- Commissioner Harp – who controls the ocean portion of the park
 - NPS controls the water column and the SOH is the seafloor
 - Education and recreation = generate respect for the place
- Question – need to clear up the jurisdiction issues
- Superintendent Duchesne – Park has jurisdiction on the water
 - Law Enforcement focuses on terrestrial; will need to expand in to the marine in the future
 - Staffing/Education/training component needed before that can happen
- Commissioner Harp – the park has two or three boats
 - Contact vendors
 - **ACTION:** Provide the Advisory Commission with copies of the agreements entered into by the NPS and the State within park as a basis for future discussions.
- Chairman Cachola – ongoing communication is needed
- Commissioner Harp – proposes fees to be paid by commercial activities in the KAHO waters which could be used for maritime activities enforcement and use funds to support education and enforcement and staffing
- Commissioner Chun – currently only collect administrative fees for commercial activities in park waters; discussion of NPS concessions activities;
 - How does the park identify and track the commercial activity?
 - Need fees and identification of current commercial operators
- Commercial use/services = cost recovery vs. profits
- Commissioner Harp – consider liability/commercial operators inside of the park boundary.
- **ACTION:** Subcommittee to prepare summary before next meeting

Subcommittee meeting adjourned at 11:00 AM and the regular meeting convened

Chairman Cachola asked that the Queen Kaahumanu Highway MOA, Admin History and Comments from Ruth Alua regarding her MS Thesis be added to the Chairman's report on the agenda.

Minutes from August 2014 meeting (Handout 1):

- Approved after 5 minute review by commission members and opportunity to comment on changes or revisions
- Chairman Cachola noted that the changes or revisions that Commissioner Harp had sent in were already incorporated in the version being reviewed
- Chairman Cachola requested on page 9 – appropriated money for a period of 5 years – HDOT funds (mitigation for Queen Kaahumanu Highway)

MOTION: Commissioner Harp motioned the minutes be approved with the noted change, Commissioner Chun seconded the motion and the motion passed unanimously.

Chairman's Report:

Chairman Cachola proposed moving the discussion of Halau Ike to the public Comment period

Advisory Commission Vacancies:

- Advisory Commission is authorized until 2018
 - No applicants during the August 2014 recruitment
 - **ACTION:** Park will prepare a packet and re-advertise for commissioners vacant spots (either 1 or 2 depending on Samson's decision and future action)
- No response by Samson Harp to date to requests from Commissioner Harp to attend or provide input by writing
- Clarification that Samson Harp cannot delegate his proxy to Commissioner Harp as he requested
- No bylaws are adopted by current Advisory Commission
- **ACTION:** Superintendent Duchesne or Jeff Zimpfer to send out version of bylaws used by previous Advisory Commission to determine if they are sufficient and can be adopted or need to be revised and then adopted.
- **ACTION:** Samson Harp to communicate or resign.

Letter from Advisory Commission to Director Jarvis (Handout 2):

- Letter sent from Advisory Commission to Director Jarvis on August 22, 2014
- Response from DOI/NPS – signed by Peggy O'Dell, Deputy Director 11-24-14 (received by Chairman Cachola 12-04-14)
- Chairman Cachola notes that address on the envelope to him is incorrect
- Commissioner Harp – discouraged by response and denial of requests
 - Advisory Commission should develop a list of projects/activities (prioritized) re: staffing
 - Need the Live in Center to be front burner
 - Develop own set of priorities re: park projects and activities that park should implement

Discussion regarding Recommendation #1: Native Hawaiian Hiring

- Chairman Cachola – Regarding Recommendation #1:
 - Hiring as defined in the Advisory Commission recommendations is not to the exclusion of others and Chairman Cachola says the letter is not asking for exclusion of others
 - As appropriate, hire Hawaiians
 - Chairman Cachola suggested maybe they would have this reviewed by legal experts
 - Chairman Cachola disagrees with the Secretary of the Interior – request legal review re: authority to hire native Hawaiians (paragraph 3 – enabling legislation)
- Rae Godden– need for citizens to drive changes to the legislation – stuck in limbo
- Superintendent Duchesne– No current legal framework that gives preference for hiring native Hawaiians as park legislation is currently written
- Chairman Cachola – Importance of knowledge of culture and language means being Hawaiian
 - Abilities and qualifications arguments made
 - Merits in place to provide (but is not claiming a desire for a NH preference)
- Chairman Cachola – Insulted in paragraph 3 of letter re: “so-called Spirit Report”
- Commissioner Lindsey– Feels that the recommendation and response recognize the issues from both perspectives
 - Need to focus on programs and engaging and training (resume building process)
 - Qualifications/training to qualify people to be hired
- Chairman Cachola – No affirmative action plan has been developed by the park in past 4 years
 - Beginning to plan in the letter
 - Recommend to Director Jarvis for implementation of an affirmative action plan
- Superintendent Duchesne– diversity plan under development; preliminary version was distributed in the current packet of materials for the Advisory commission meeting
- Discussion of a letter to seek special legislation to establish native Hawaiian hiring preference to the Congressional Delegation and the Director/Deputy Director.
- Superintendent Duchesne– Indicates that the Advisory Commission cannot lobby the Congressional Delegation and is advisory only
- Commissioner Lindsey– OHA as a quasi-state or state agency or Makani Hou can request
- Commissioner Chun – Look at the Kalaupapa legislation language
- Commissioner Cachola – Hiring Native Hawaiians is part of the park’s purpose per the Spirit Report (basis)
- Commissioner Lindsey– Involving people and programs at the park is needed and should be the goal
 - Future advocacy issue
 - Lineal descendants should also be considered

MOTION: Commissioner Harp – Proposed a motion “Chairperson to draft a project/activity list generally in accordance with Spirit Report and the list should be submitted to current park management with a copy to the Director of the National Park Service” Motion seconded by Commissioner Chun. Motion passed unanimously.

- Chairman Cachola – Queen Kaahumanu Highway widening complicated process involving the park and Makani Hou. We are reviewing.
- Discussion of Chairman Cachola interview for the Administrative History of the park.

Superintendent's Report

- Water Management Area – recent efforts, upcoming events
 - OHA sponsored an event where Kapua Sproat spoke at the West Hawaii Civic Center on December 3 (**Handout 3**)
 - On December 10, the Commission on Water Resource Management will be holding public meeting to take testimony and decide whether to continue the process to designate the Keauhou Aquifer System Area, in Kona, a Designated Ground Water Management Area. The meeting will take place at the West Hawaii Civic Center starting at 9 AM.
 - There was a discussion of what amount of water (volume) is the minimal amount needed for KAHO?
 - Increase in salinity vs. freshwater?
 - Sustainable Yield not accurate measure because it does not account for drought, episodic rain, Sea Level Rise, temperature up, traditional and customary and environmental needs.
 - **ACTION:** Chairman Cachola asked that Jeff Zimpfer send him the letters in the paper from Janice Palma-Glennie in support of the petition.
- Update on nominations
 - We did not receive any nominations for our most recent vacancy announcement
- Recruiting plan (**Handout 4**) (please provide comments to Superintendent Duchesne by December 26th)
- Will be reviewing the compendium (see notes above from sub-committee meeting for details)
- Meetings for 2015, February 20; May 1; August 7; and November 6, 2015. Alternate between Aiopio and Kaloko. Propose Descendants Day August 7.
- Division reports (**Handout 5**)
- Commissioner Harp asked to join the Commercial Use Permits sub-committee and Commissioner Lindsey said that would be fine.
- There was a discussion of outplanting and non-native vegetation clearing in the park.

Ruth Aloua spoke:

- MA from Simon Fraser University should be completed shortly; final version of text was submitted; presented all members with draft journal article based on MA field work; discussion of major findings of thesis.
- Currently working as emergency hire mapping area behind Kaloko fishpond during ongoing kiawe removal project.

Discussion regarding Recommendation #2: Halau Ike Structural Issues

- Signage warning of danger and relieving NPS of liability.
- Construction of safe structures
- Superintendent Duchesne– Liability for volunteers during construction and operation of facilities post-construction was intent of request for liability insurance when it was made
- Commissioner Harp – During construction all crews had to undergo safety training
- Superintendent Duchesne– No waiver of liability insurance in current MOA
- Commissioner Harp – paragraph #3 – Finds it odd that they aren't will to pay for a traditional expert to inspect this structure but they are willing to pay for him to come for future structures. He will elaborate in the response letter.

Discussion regarding Recommendation #3: Cultural Center

- Chairman Cachola – The cultural center is the crown jewel of the park
 - Need to establish full-time position
 - Has not happened in past 40 years
 - Makani Hou needs to re-evaluate, if no funding and staffing (per Director Jarvis letter) is going to be available
 - Need to review what money has been used for at the park; projects put ahead of the cultural center
 - GMP compliance re: funding = need to review
 - Advisory Commission can help to reprioritize
 - “As soon as there is adequate funding and staffing” Chairman Cachola finds this disturbing.

MOTION: Commissioner Harp made a motion to have the Advisory Commission chairperson draft up a project/activity priority list generally in accordance with the Spirit Report to be sent to current park management with a copy to the NPS Director. Seconded by Chun and the motion passed unanimously.

- Commissioner Harp Does not feel that the park has been committed to managing the park in accordance with the Spirit Report to date.
- Commissioner Lindsey– Cultural Live in Center would be first priority on the list?
- Superintendent Duchesne– Rae Godden and her interpretation program events; water issues; removal of invasive species such as the current kiawe removal (sucks up fresh water and impacts) – Park staff has been working hard.
- Chairman Cachola – Acknowledges park staff and their work however there needs to be a review and a list of priorities related to the GMP and it needs to be done –not an indictment of the park.
- Superintendent Duchesne – No Operating Finance System increases to the park since 2009, and no applications for increases are being accepted at this time – no mechanism to get base increases

(Commissioner Kuehner acting chairman; Chairman Cachola recused himself to provide comments)

Fred Cachola/Makani Hou:

- Makani Hou – Halau Ike project
 - Engineering report: 6 poles to be added – Makani Hou will consider the addition of 4 poles only, at both ends and no poles (2) in the middle; compromise on the original recommendations from the engineer. Will prepare a proposal to the NPS for consideration by the engineer.
 - Building materials, park personnel and equipment not able to be used to prepare the materials for the halau; materials were donated by an individual (Jimmy Greenwell) to an individual (Commissioner Harp) for use in the project – Commissioner Harp feels a responsibility to execute the project or take the materials down and remove from the site per his agreement with Greenwell.
 - Wait for a response from the park before taking further action.
- Superintendent Duchesne – Asked for something in writing for NPS staff to review.
- Commissioner Harp – Proposes a meeting with Scott Hendrickson and Francis on Maui.

MOTION: Commissioner Harp proposed a motion, that the Commission request KAHO staff assign a crew to construct a stone platform for halau ike.

- Could construct the stone platform and have halau re-inspected by Scott as mitigation for the structural issues on the halau.
 - Makani Hou group is not as interested or motivated any more to work on the structures and the cultural center any more.
 - Further discussion about the Kaloko fishpond wall structure and issue of wave absorption – wall design and water flow through the wall – per conversation between Peter Keka and Kepa Maly, the wall would better absorb force if the front face was sloped and left in a crumbled state.
- Fred Cachola – No monitoring of the structure (halau ike) in the past two years
 - Hasn't fallen down in the past 2 years so....
 - Nainoa Perry is opposed to adding anything to structure (stone platform or poles)
 - MOA with the park needs to be revised
 - If the park is going to wait for more money and staff, we'll wait too.
- Commissioner Harp – Jimmy Greenwell (owner of Lanihau Properties) visited the halau 3-4 months ago
 - Commissioner Harp explained the situation
 - Agreement Greenwell made with Commissioner Harp – if halau is not built in a traditional way then the structure should be dismantled and the 'ohia should be removed from the park.
- Fred Cachola – Makani Hou board authorized me and Commissioner Harp to work on a new MOA.

- Commissioner Chun – Will Scott Henrickson still answer for the halau project?
- Superintendent Duchesne –Yes, he is still the network engineer even though he has relocated to the Seattle regional office and he still has responsibility for Pacific island network projects.

MOTION: Commissioner Harp proposed to amend the motion, have the park assemble the rock at halau ike at their convenience. Commissioner Chun seconded the motion. The motion passed unanimously.

- Cultural Live In Center EA:
 - No EIS for the cultural live in center yet?
 - EA for the Live in Center is ongoing
 - When will the EA be approved?
 - SHPD – MOA (under 106) with NPS to address concerns via PWR under discussion (Liz Gordon)
 - Concerns with subsurface inventory for post holes re: potential impacts and depth of subsurface impacts
 - Should building wait until EA/MOA/106 completed?
 - Issue of materials – 4 posts + stone foundation proposal (differs from Scott’s recommendation)
 - Next steps? Basic site plans, not conceptual plans are needed; historic landscape information needs to be incorporated re: siting.

Next meeting February 20 Aiopio

Meeting adjourned at 2:05 PM

Action Items

ACTION: Commissioner Harp suggested Rick Gmirkin ALKA could take the lead for the GIS data and information to create the time sequences for the exhibit (model to show trail system).

ACTION: Request to set up meeting with other practitioners along the Kona coast (Loko I’a Hui).

ACTION: Recommendation is an inquiry from park staff to FWS – deferred to Jeanette Chiron to handle on behalf of KAHO and report back to extent possible for next meeting.

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Motions

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Notes taken by Jeff Zimpfer