Minutes, Public Meeting of the Ahihi-Kina'u Advisory Group
April 8, 2010
Lokelani Intermediate. School Cafeteria, Kihei, HI

- **Call to order 6:40 PM**

Bill Evanson, DOFAW NARS Manager, Maui
Matt Ramsey, DOFAW/NARS Ranger, Ahihi-Kinau NAR

- **Advisory Group Members present:**

Declan McCarthy - Maui Hotel Association/Tourism
Anne Fielding - Recreation
Bob Davidson - Impactee/neighbor
Nicole Davis - NOAA/Science/research
Pat Borge – Impactee/neighbor
Gary Hashizaki - Maui Casting Club/recreation
Kuhea Paracuelles – County of Maui/Mayor's Environmental Coordinator
Dino Ventura – Impactee/neighbor
Jeff Bagshaw – HALE/NPS/Education/Outreach

- **Other DLNR staff present:**

John Cumming/DOFAW
Hinano Rodrigues/SHPD
Skippy Hau/DAR
Peter Landon/DOFAW/NARS
Judy Edwards/NARS Ranger
Joe Fell Mc Donald/NARS Ranger
Kepa Meno/NARS Ranger

Updates:

- **Item 1. Status report and update on draft Management Plan:**

Plan is being done by TNC/Maui Marine Program Coordinator Emily Fielding., who is sick, so Bill Evanson presented it a Powerpoint Presentation prepared by her.

- Management Plan has never been done before for this reserve.
- Ahihi-Kinau is unlike the other Reserves in the system because it is so accessible and trying to figure out to allow access yet still protect the area has been very problematic.
- Ever increasing visitor numbers from 1990s has led to concerns by the public and staff about what to do.

- Bill narrated Emily Fielding's Presentation PPT

- Questions were then solicited from the Advisory Group and audience:

Unnamed audience person: Is the draft management plan available to the public?

Bill E.: no, it's not complete yet. Not ready for public review. It will be ready for public review down the road.

Unnamed person: When?

Matt: explains process of document review/public input process, Plan will be adapted as it goes with time for public input and many changes as it proceeds.

Pat Borge: are we here tonight to extend the closure?

Bill E.: we need to decide that soon, the deadline of the current closure expires in July, need direction from the Ad Group tonight.

Pat Borge: will you have the management plan in place by the time closure expires?

Bill E.: no. We can/should add this question to the Item Agenda as Item C. after Closure Report.

D. McCarthy: Is it the intention of this Ad Group to have this question of extending the closure wrapped up by July?

Bill E.: yes, we are under timeline pressure.

- **Item 2: Status Report and Update on Closures**

- Bill introduces Matt and provides background, also notes that Matt is leaving the job in June.
- Matt presents Status Report of monitoring and research in the Reserve to date. PPT.

- Questions from the audience/Advisory Group:

Flo Bahr: what happened to volunteers helping to give info to the public?
Matt: The Reserve is much loved and everyone wants to help, but the original volunteer program hit snags, funding cuts ended that program. Also, Reserve staff and Volunteers had communication issues, bad phone coverage, radios. Safety concerns were raised.

Also, the management plan was not in place and staff realized they didn't want to do a half-baked program and decided the whole program needed thinking out and fine-tuning.

Pat Borge: how many people have *Maui Revealed* in hand when they get busted for entry into closed areas?

Matt: no telling, we don't track that data.

Pat: that book is our biggest problem.

Jeff Bagshaw: does Staff note many commercial groups or repeat offenders?

Matt: commercial, not much, and it's hard to track repeat offenders.

Rangers Joe McDonald/Judy Edwards: no repeat offenders as far as we can remember.

Dave Schoonover: Are baseline surveys not usually established at the beginning of a closure period? Why were some baseline studies started so late?

Matt: Staff of 5 is stretched over the surveys plus their regular duties; we had to prioritize the surveys based on the amount/speed that the resource was likely to change. For example, surveying geology was put last; we focused on the marine surveys first.

Bob Davidson: they were working very hard, tried to get ahead of deadlines.

Dave Schoonover: Not criticizing—people looking for ways to challenge your position are going to be looking for weak points in your methods.

Matt: baselines are to establish the first baselines ever. Not just baselines for closure period only. Example: anchialine pond baselines have been established for perpetuity.

Unidentified audience person: where is the Montipora pond?

Matt: supplies directions to m. pond (on Ka Lae Loa side)

Pat Borge: does anyone know what causes Kole cancer lesions on fish in the Reserve? Golf course runoff? The (former) Maui Prince Hotel was supposed to do a runoff survey for Ahihi Bay—where is their original report; can we get it for comparison? Currents run down the coast.

Davidson: is this disease found in other fish in other places?

Matt: yes, Greta Abby working on this question is found on fish in other places.

Bob Davidson: re: stilts are used to people—has seen them around people a lot. (reference to data in Matt's PPT that stilts are nesting more frequently in anchialine

ponds in Reserve and are found more frequently around anch. ponds that are near trails, whereas before they were continually disturbed).

Matt: yes, but comfort levels are higher with fewer disturbances, implication being better nest success.

Audience member not identified: how long have you been counting people and Ranger contacts to get 1300 people?

Matt: just 2 months!

Jeff Bagshaw: when was the big outreach effort done (to notify visitor groups/potential visitors of closure status)?

Matt: at the beginning of the closure, but these contact surveys have been done only in last 2 months.

Pat Borge: re: the # of vehicles coming through the Reserve—potholes are getting horrible from use, residents at the end of that road are getting vehicle damage from how bad the road is getting.

Pat B. to Dale Bonar (Chair of the NARS Commission): find out who owns that road.
Dale B.: we're dealing with that.

Matt: we'll get to that issue in a minute. One of the things we're trying to establish in the management plan is carrying capacity. We're trying to figure out where the loads go. For example: summertime data shows the bump in use due to south swell surfers.

Jeff B: are there other ways to measure this other than Ranger observation?
Matt: we are working on it.

Unidentified Audience Member: What about the dolphin-swimming zoo at LP in the morning? Do you have any idea of the #s?

Matt: yes (graph of cars/people in the LP lot over the course of the day).

Matt: keep in mind that data is variable, rainy days seem like its all wilderness and quiet, sunny days are packed, what numbers show is trends.

Pat: Rangers are not counting boat impacts in La P. bay. Lots of people come into the Bay and use it via the water.

- Matt: end of formal update on monitoring and research data taken during closure to date

- **Discussion on Next Steps by Advisory Group**

Bob Davidson: what is our next step? Should we make a recommendation on closure based on this update?

Bill E: Closure has seemed to be worth it based on how animals are reacting or acting—Staff is seeing return of wildlife, especially in my opinion, fish. This is what the Reserve was intended to be. By allowing continued use in open areas we are doing a good job of protecting the majority of Reserve. This is the Staff opinion, but the Advisory Group needs to speak on this.

Davidson: things seem obvious: there's been improvement, should I make a motion to continue the closure until at a minimum the management plan has gone through it's full process?

Pat B.: I would second that.

Bill E: we would like some public input before the motion.

Pat B: congratulate to the Rangers, we must keep Rangers on the ground. It's hard to deal with the public on an all-day basis. Birds returning/nesting—that issue alone should make permanent the closure. Bring back the birds to where they belong, it's a Reserve, leave it alone forever, let's not have a string of 2-year closures. The public, if allowed in, it should be only guided tours. It's a NAR, the public needs to realize we cannot open every place to the public. The Reserve seems to be having a good impact on the ulua fishing this year, lots of big fish were caught around Reserve this year. Also, maybe charge for snorkeling. If birds and turtles are coming back, it seems obvious what the choice should be for the good of future generation. A permit plan also needs addressing.

Dale B.: a permanent closure is not possible from the legislature; we had to go through a long process just to get a 2-year closure. We/NARS are fighting for that ability, for permanent closure if that's what the plan recommends/and advisory group recommends.

Pat B.: why not let the locals fish in there, then, if anybody can use the place to death?

Unidentified Audience member: Back to commercial boating—there seems to be more commercial activity around the Reserve, like the big raft companies.

???: NO BOATS are allowed IN the NAR.

Mary Evanson: NO MORE BOATS passing thru NAR are allowed, or should be happening

MATT: we still need the buoys that designate the ocean boundary. Process very complicated.

MATT: College groups from Oregon interested in doing some research with acoustic vessels.

Unidentified audience member: The management plan included buoys??
MATT: YES, but the $$ was too high and other divisions were concerned that they were going to have to mark their boundaries with buoys too.

BILL: When out on the water in a boat it is difficult to tell where you are at without buoys because the landscape is flat w/out that many landmarks. Many boats come into the reserve waters to get out of the rough water that you hit around Cape Kinau. There's high boat traffic.... ALL are factors in this issue.

Pat B: why not use that money (???) to pay for Rangers? Boats are flying through the area, and whatever the laws are about swimming with dolphins, everyone in the water is in danger, it's wrong what they're doing in LP Bay.

Bill E.: remoteness of area and lack of communications make controlling people in LP Bay a challenge.

Jeff B.: if the closure can be extended, what seems to be most effective is Ranger contact, can that staff be maintained?

Bill E.: there are funding challenges—it's recognized that the main value of the program has been the presence of Dept. personnel in the area. Signs tend to be ignored but studies show that, for instance, police officer just appearing makes huge changes in public behavior. High profile presence has always been our goal.

Pat: can we discuss the road issue?

Unidentified former member of Action Ahihi volunteer program: I may be a broken record but, I was part of the 'half-baked volunteer program' and we did our best.

Matt: I meant that half-baked was from our side (no real plan in place at the time to address all possible issues, like safety and communication).

Unidentified audience member: Maui is an island of volunteers; we encourage you to think about using a volunteer program to help you communicate.

Matt: I'm more than ready to start using them once we have a finalized plan in place.

Bill E.: we recognize we can't do it all ourselves, but at the same time we have a duty and responsibility to our volunteers to make it safe. We are looking at the National Park to see what their models are.

Bob Davidson: can I call for a vote to continue the closure until at a minimum the management plan has gone through all its steps?

Kuhea P.: agree with Pat about permanent closure, clearly there have been positive changes, I would second that motion.

D. McCarthy: what are the steps again? How long does the closure in Davidson's motion last?

Davidson: until all the steps are taken, until the plan is in place.

Pat B.: but we can only have 2-year closures.

Many people in audience: why?

Dale B.: because that's how the law is written.

Gary Hashizaki: why is Makena State Park closed at night? All agreed-upon steps were taken (a caretaker home is there, said fishermen were supposed to come back in 5 years). Just close the whole Reserve already. 2 year closures are manini.

Bill E: would you like to make a motion that it be closed for longer than 2 years?

G. Hashizaki: Yes. Might as well.

B. Davidson: the management plan has all the important info and data and I would hope it would have the impact to close the Reserve permanently. But I want to make a motion to keep it closed until the plan is in place, and formalized.

Bill E: explains process for management plan finalizing and public input process.

Pat B: where is Staff coming from, opinion-wise, on a continued closure?

Bill E.: Staff is in favor of continued closure.

WHO MADE THE MOTION, NAME?

- **Ad Group: Motion.**
- ***Group moves that we as a committee recommend a closure of the Reserve for a minimum period until the Plan has gone through all its steps and is implemented.***

Kuhea P: Wait, I think we need to revise that.

- ***This committee recommends that the Reserve be closed until the final approval of the Management Plan.***

Dale B.: Clarification: be aware that there IS a possibility that the plan would come out and the closure be lifted immediately anyway.

(Discussion)

WHO MADE THE MOTION, NAME?

- ***New Motion:***
- ***"This committee makes a motion to extend the closure of the Ahihi-Kinau NAR for 2 years, or until completion of the management plan, whichever comes first"***

Dale B.: clarification—how the management plan can be adopted or implemented may be affected by what else is going on in gov't at the time the Plan is approved. Do not assume anything.

Bill E: there are a lot of variables that pop up as the process goes.

Pat B.: What's going to happen when Matt leaves, who is going to be in charge of the NAR?

Bill E.: everyone leaves at some point.

Pat B.: Ease my mind Bill, how long will I have Rangers?

Bill E: we cannot make promises.

Matt: can we continue on and pass the motion?

Pat B: The Board could say anything, like they are out of funding, so let's open the Reserve up.

Nicole Davis: what will be done about personnel?

WHO MADE THE MOTION, NAME?

- ***New Motion: The Ad Group recommends the Reserve continues the existing closure until the Management Plan is implemented.***

- ***Motion made: Bob Davidson, Seconded by Pat Borge***
- ***Unanimous vote by Advisory Council.***

Bill E: any other business? More public comment?

Helaine Borge: when does the road in the Reserve get fixed?

John Cumming: let me give the update on the road: Deputy Attorney General says the State and County have agreed on the language for the MOU, the document is going back to Dep. Atty general for approval—the Draft of the Agreement between the State and County concerning the ownership and responsibilities of the road. Once approved, the public can review it, and then it will go to the Board for approval. Consensus had been made. Anyone wanting a copy can have one.

Kuhea P: yes, there is consensus between state and county on the road agreement. Public input is important on the agreement as it is written, legally. The agreement/MOU covers who is responsible for what. Nobody will have ownership. Agreed. County maintains responsibility for maintaining road and the State will maintain the vegetation alongside the road. Potholes are county responsibility and both agree to seek funding for future "improvements" to the road like resurfacing. For as many people complain about the need to fix the road, the same number of people complain when the potholes are fixed.

Pat B.: who complains?

Kuhea P.: some people want the potholes to slow down traffic.

Bob Davidson: you can't please everyone.

Kuhea P.: just so you're aware.

Pat B.: what would happen if I gated the middle of the road? If nobody owns it?

Kuhea P.: please add this to the MOU process, when it's time.

Bill E.: substandard condition of the road is an issue. There may be pressure to make a real road out there later.

Matt: sorry, but I need to leave in a minute for a flight. Here is update on Staff.
Ranger status: 2 are temporary State positions and 3 are employed through RCUH—RCUH on board until end of Sept. Matt's position is one of the State positions (leaving in June) and Joe McDonald is the other.

Bill E.: our intent is to keep personnel onboard as long as possible. From what I have been hearing the funding for this coming year is about the same as last year.

Dale B.: Wait, hold on! I hope every person in here has been testifying to the legislature—NARS program is getting cut more this year. DLNR funds are cut across the board. Ahihi NAR has more staff than any other in the state.

Helaine B: there is not as much public use or Staff need in the other NARS.

Dale B.: true. This is a benchmark NAR process, because will set the management tone for future NARS and how they're managed.

Bill: we'd hoped to have a fully functional office trailer onsite in the NAR, but now that's some months down the line.

D. McCarthy: has DLNR looked at the possibility of a satellite phone instead of a repeater?

Matt: Yes but it is very expensive. We are very close to getting the repeater up. A repeater out there is useful for the whole corner of the island, not just our NAR.

McCarthy: price of sat phones have come down dramatically. Could compare to a repeater, cost-wise.

Pat B.: aquarium fishing is also an issue, there was a guy collecting manini at LP bay right off the parking lot.

Dale B.: there is no rule about that yet, Maui Nui Resource Council is talking about that, Dan Polhemus's firing has stalled movement in Division of Aquatic Resources.

Susan Thompson (former volunteer with Action Ahihi): thanks for your work and presence. Nice to see the data. Having presence down there does make a difference. Volunteer corps is ready to go and many are ready to assist to make the impact even bigger.

Jeff B.: Can we make a motion that staffing is continued at current levels for the duration of the closure?

Advisory Group: yes.

- ***Jeff Bagshaw/NPS: Motion: Committee Recommends continued Ranger staffing at current levels for the duration of the closure. Motion passed unanimously.***

D. Schoonover: Thanks for the Rangers. The sign fonts could be larger. I worked in gov't for 29 years and am concerned about whether everyone who is here can channel our love for this area constructively. Be careful of statements that leave the process open for attack. Politically, the public has a right to be involved in these decisions and influence them. In my experience, the public takes a dim view of a group making a decision before public comment is integrated. Best of luck to you.

Pat B: just be aware (Mr. Schoonover) that this process has been going on for years and year with plenty of opportunity for input.

David Schoonover: Be careful how you word things and of the process, because it could weaken you in the long run.

Pat B.: we started this process in 2004 with everyone on board, cultural input, etc. There was a lot of public involvement from the beginning.

Bill E: is there other public comment? No? Call for adjournment.

- **Adjourned.**

9:00 pm.