

DAVID Y. IGE
GOVERNOR
STATE OF HAWAII

SHAN S. TSUTSUI
LT. GOVERNOR
STATE OF HAWAII



JOBIE M. K. MASAGATANI
CHAIRMAN
HAWAIIAN HOMES COMMISSION

WILLIAM J. AILA, JR.
DEPUTY TO THE CHAIRMAN

**STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS**

P. O. BOX 1879
HONOLULU, HAWAII 96805

July 15, 2015

Ms. Erika Stein Espaniola
Superintendent
Kalaupapa National Historic Park
P.O. Box 2222
Kalaupapa, HI 96742

Aloha Superintendent Espaniola:

Subject: Department of Hawaiian Home Lands Comments on Draft
General Management Plan for Kalaupapa National Historic
Park

Mahalo for the opportunity to provide comments on the Draft General Management Plan (GMP) with the identified Preferred Alternative, Alternative C. A comment letter from DHHL on the Preliminary Alternatives was previously submitted on Sept. 27, 2011 (See Exhibit A, attached). We refer to that letter for background information on our 1,290 acres of land holdings within the Kalaupapa National Historic Park (NHP) boundary and our lease with the National Park Service (NPS) encumbering 1,247 acres within Kalawao County.

We appreciate your and your staff's participation in the first of two Beneficiary Consultation meetings that were held on Molokai on May 26 and May 27, 2015. We also appreciate the effort NPS has made to analyze our previous comments and provide responses to some of them in the narrative of the Draft GMP.

That being said, there are still some areas that have not, in our opinion, been adequately addressed or discussed in the Draft GMP:

Issues Identified in DHHL's Previous Comment Letter

MOLOKA'I ISLAND PLAN

1. Please discuss or reflect DHHL's previous request for consistency with the Molokai Island Plan, as follows:

- a. Identify potential existing facilities within or adjacent to these areas with the potential for adaptive reuse by beneficiaries to serve the functions listed below. The Preferred Alternative does not identify these community use areas as gathering places for cultural practices and access by native Hawaiians.
- b. Discuss how these areas could be licensed to an organization of native Hawaiian patients or our Homestead Association(s) to manage and operate.
- c. If the above requests are to be dealt with at the programmatic level or through a Cooperative Agreement or amended lease terms, then please state that explicitly in an appropriate section of the GMP.

Recommendations Based on Comments Received During Beneficiary Consultation

Based on the Beneficiary Consultation report that will be submitted to the Hawaiian Homes Commission for acceptance on July 20, 2015, the following recommendations are offered (See Exhibit B, "Beneficiary Consultation Report"):

Planning

1. Provide clearer and more complete definitions of the terms "stewardship," "enhancement" and "carrying capacity."
2. A stakeholder advisory group or task force should be formed to provide advice on transition strategies for the exit of DOH, as well as for implementation of the GMP and protection of traditional and customary practices and access rights.
3. There needs to be an analysis of a possible sunset date and exit strategy, based on best management practices, upon expiration of the GMP. The Department understands the need for long term planning and a programmatic framework, but encourages NPS to identify a specific implementation timeline within which program development will occur.

Homesteading

4. Beneficiaries are divided on the idea of opening up Kalaupapa to homesteading. There is much more support for the concept of encouraging beneficiary-focused stewardship of cultural resources and traditional agricultural restoration.

Management

5. Provide training and preparation for all job opportunities, including at the management level, in the NHP for native Hawaiians.
6. Hire native Hawaiian Cultural Consultants made up of cultural practitioners and residents of Kalaupapa or Moloka'i "Topside" to properly advise NPS on designing management initiatives with a "native Hawaiian lens."
7. Do not allow the U.S. military such as the Marine Corps to conduct training exercises on or over Kalaupapa NHP.
8. Calculate the carrying capacity of the peninsula and develop performance standards and thresholds that can trigger a reduction in daily visitor numbers based on quantifiable data, but maintain native Hawaiian preference for access.
9. Expand on the traditional NPS definition of "visitors" in order to create multiple tiers or categories that can accommodate the wishes of native Hawaiians, 'ohana of patients and lineal descendants of the original inhabitants in order to facilitate fostering the special relationship with place that these visitor subgroups desire.
10. Maintain a policy of first right of refusal for native Hawaiians regarding concessions, stewardship opportunities, and overnight accommodations, once patients are no longer living at Kalaupapa. Provide detailed information and training on how to meet NPS requirements for becoming a concessionaire.
11. Prior to the departure of DOH, as part of the transition planning process, explore possible reutilization of health facilities for rehabilitation, kūpuna assisted living, or

culturally-based health care programs with a focus on native Hawaiians, since such health facilities already exist.

Lease

12. DHHL and NPS are to initiate a formal negotiation to develop an MOU, Cooperative Agreement or modifications to the lease terms to manage the transition when DOH departs Kalaupapa, to specify how beneficiaries will receive consideration and priority for access to the NHP and participation in culturally based programming, and other items necessary to address beneficiary concerns raised during the DHHL beneficiary consultation process.

Boundaries

13. Beneficiaries do not support park boundary expansion to include the North Shore valleys of Waiho'okalo, Pelekunu and Pāpalau. In lieu of inclusion within the NHP boundary, DHHL encourages responsible government agencies to develop programs to reconnect native Hawaiians to the cultural and natural resources in the North Shore valleys, perhaps in partnership with DLNR and/or OHA.

Alternatives

14. Consider a hybrid alternative - keep a 100 person per day cap on general visitors as in Alternative B, but allow access for stewardship opportunities as in Alternative C, based on carrying capacity of facilities and infrastructure.
15. Incorporate a unique native Hawaiian stewardship component for both individuals and groups into Preferred Alternative C. A possible implementation measure is to develop a joint NPS/DHHL Special District & Community Use Implementation Plan for the areas identified for these two land uses in the DHHL Molokai Island Plan.

Access

16. There is a need to outline specific policies and guidelines to assure protection of traditional and customary practices within the Kalaupapa National Historic Park (NHP) as articulated in the Hawaii State

Constitution, Article 12, Section 7, such as subsistence fishing, ocean gathering and forest and stream gathering, including within the proposed area of park expansion.

17. Develop a cultural program to reestablish traditional Hawaiian recreational activities at Kalaupapa and Kalawao, such as surfing, after consultation with relevant stakeholders, councils, and agencies, as appropriate.
18. Identify a special access period (2-3 days/long weekend) to allow for exclusive native Hawaiian access to Kalaupapa.
19. Expressly allow for native Hawaiian gathering/access in Kalaupapa. Allow for accompaniment of adults by minors, once the patients are no longer residing at Kalaupapa.

Native Hawaiian

20. Ensure that the National Historic Preservation Act (NHPA) Section 106 Consultation for Kalaupapa and the North Shore is inclusive, rigorous rather than cursory, resolves any adverse effects to the satisfaction of the consulting parties in the form of an MOU, adheres to applicable rules (36 CFR Part 800) and is in keeping with the 1992 amendments to the NHPA.
21. There needs to be consistent outreach to "Topside" Molokai families to reestablish the histories associated with kama'āina formerly relocated during establishment of the Hansen's disease colonies with expansion from Kalawao into Kalaupapa.

Other Recommendations

22. As an alternative to the proposed Marine Managed Area surrounding the peninsula, adopt and support a Community-Based Subsistence Fishing Area model. Once all the patients and the DOH have left Kalaupapa, consider adding subsistence fishing and gathering as a component of the stewardship program. Exercise of traditional and customary practices by native Hawaiians could be managed by allowing beneficiary groups access in order to mālama the resources (practice stewardship), and in return allow volunteers to

Erika Stein Espaniola
July 15, 2015
Page 6

practice subsistence on the peninsula, in the spirit of kuleana (rights and responsibilities).

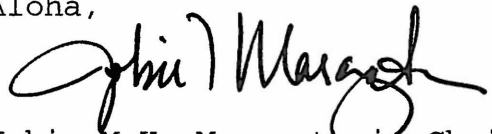
23. DHHL supports the maintenance and monitoring of the soundscape at Kalaupapa. Mitigation measures should include conversion to a fleet of electric vehicles, minimizing the time periods during which arrivals and departures of flights occur, and mitigating construction noise. It would be preferable to keep scenic tours by helicopter away from the park as well.

DHHL is hopeful that the above comments can be addressed and/or incorporated into the GMP to supplement the changes made to Preliminary Alternative C that increase the facilitation of stewardship and educational opportunities, with an emphasis on partnerships.

We thank you for the opportunity to provide comments. We hope these comments serve to clarify the mana'o provided by our beneficiaries, who along with DHHL have a strong desire to mālama the very special and spiritual place that is Kalaupapa.

If there are any questions, please contact Nancy McPherson of our Planning Office at 620-9519 or by email at nancy.m.mcpherson@hawaii.gov.

Aloha,

A handwritten signature in black ink, appearing to read "Jobie M.K. Masagatani". The signature is fluid and cursive, with a large initial "J" and "M".

Jobie M.K. Masagatani, Chairman
Hawaiian Homes Commission

Enc.