

Section 4: Protect and Enhance Natural and Cultural Resources

Hānai a ‘ai.

To care for and eat from

‘Ōlelo No‘eau

Section 4 focuses on protecting and enhancing Ka‘ū’s rich heritage of natural and cultural resources, including coastal areas, agricultural land, mauka forests, scenic resources, ecosystems, historic and cultural features, and public access and trails. Four basic approaches are used: land preservation, land use policy protections, governmental initiative, and collaborative action by landowners, nonprofits, and the community.

Section 4.1 guides the community- and government-led expansion of lands held in public trust, with a focus on coastal areas. It also supports landowners who seek to establish conservation and agricultural easements or use agricultural and forestry land preservation programs.

Section 4.2 protects coastal areas from development with the CDP Land Use Policy Map, shoreline setbacks, the Special Management Area, and encouragement to the State to strengthen protections and the community voice in land use decisions.

Section 4.3 protects agricultural land and open space from non-agricultural development with urban growth boundaries, permit conditions, and limits on Special Permits and lot sizes. It also prioritizes stronger farm dwelling regulations and tax incentive programs, agricultural subdivision standards, the development of transfer of development rights (TDR) and land bank programs, State Important Agricultural Land designations, and expedited lot consolidation in existing rural subdivisions.

Section 4.4 protects mauka forests from development with the CDP Land Use Policy Map.



Section 4.5 protects open space, areas with natural beauty, and scenic view planes with permitting controls and by prioritizing view plane regulations and scenic routes.

Section 4.6 encourages the removal of unexploded ordnance, the collaborative development and implementation of resource management plans, and the enforcement necessary to protect ecosystems.

Section 4.7 prioritizes the preservation of historic buildings and roads and the development of historic streetscapes and rural road standards. It also guides community-led efforts to restore historic sites and buildings, retain village and town character, and document oral, written, and video histories.

Section 4.8, 4.9, and 4.10 ensure appropriate public access to the shoreline and mauka forests, guide community-led access management and trail development, and prioritize governmental public access and trails programs and facilities.

4.1 Expand the Local System of Preserves

This section of the CDP guides the expansion of lands held in public trust, supports landowners establishing conservation and agricultural easements and using agricultural and forestry land preservation programs, and encourages the National Park to pursue acquisition priorities.

4.1.1 Community Objectives

- Objective 1: **Encourage future settlement patterns that are safe, sustainable, and connected.** They should protect people and community facilities from natural hazards, and they should honor the best of Ka'ū's historic precedents: concentrating new commercial and residential development in compact, walkable, mixed-use town/village centers, allowing rural development in the rural lands, and limiting development on the shorelines.
- Objective 2: **Preserve prime and other viable agricultural lands and preserve and enhance viewscapes** that exemplify Ka'ū's rural character.
- Objective 3: **Protect, restore, and enhance ecosystems,** including mauka forests and the shorelines, **while assuring responsible access** for residents and for visitors.
- Objective 4: **Protect, restore, and enhance Ka'ū's unique cultural assets,** including archeological and historic sites and historic buildings.

4.1.2 County Action

Through the strategic and collaborative use of the resources identified in Appendix 4A, the County should:

Policy 20 Support the National Park Service's expansion plans for the Hawai'i Volcanoes National Park. (GP 14.9.3(e))

Policy 21 Support the efforts of landowners to establish conservation and agricultural easements.

Policy 22 Secure in public trust (fee simple or by easement) priority coastal land that achieves one or more of the Community Objectives.

See Policy 82 on page 67.

4.1.3 Advocacy

4.1.3.1 U. S. Congress

- Advance legislation to **complete the requisite special resource study to assess the feasibility of designating the Ka'ū coast as a unit of the National Park System or otherwise protect coastal resources,** in full collaboration with County, State, and private interests and with the cooperation of private citizens and property owners within the study area.

4.1.3.2 National Park Service

- **As outlined in the Hawai'i Volcanoes National Park General Management Plan (GMP), continue to pursue acquisition priorities,** such as the Great Crack parcels (TMKs (3)9-6-013:003, (3)9-6-013:008, (3)9-6-013:009) and other properties as described in the GMP.

4.1.4 Community-Based, Collaborative Action

Community Action 2: Secure in public trust (fee simple or by easement) priority land that achieves one or more of the Community Objectives.

Community Action 3: Encourage the use of agriculture, ranch, and forestry land preservation programs.



4.2 Protect the Coast from Development

This section of the CDP protects coastal areas from development with the CDP Land Use Policy Map, shoreline setbacks, the Special Management Area, and encouragement to the State to strengthen protections and the community voice in land use decisions.

4.2.1 Community Objectives

- Objective 1: **Encourage future settlement patterns that are safe, sustainable, and connected.** They should protect people and community facilities from natural hazards, and they should honor the best of Ka'ū's historic precedents: concentrating new commercial and residential development in compact, walkable, mixed-use town/village centers, allowing rural development in the rural lands, and **limiting development on the shorelines.**
- Objective 3: **Protect, restore, and enhance ecosystems,** including mauka forests and the **shorelines,** while assuring responsible access for residents and for visitors.
- Objective 4: **Protect, restore, and enhance Ka'ū's unique cultural assets,** including archeological and historic sites and historic buildings.

4.2.2 Land Use Policy

Policy Intent

- Policy 23** Protect the shoreline from the encroachment of man-made improvements and structures. (GP 8.3(d))
- Policy 24** Maintain the shoreline for recreational, cultural, education, and/or scientific uses in a manner that is protective of resources and is of the maximum benefit to the general public. (GP 8.3(c))
- Policy 25** Protect and conserve forest and coastal areas with native wildlife, natural ecosystems, and wilderness. (GP 8.4)
- Policy 26** Encourage those developments that are not coastal dependent to locate in inland areas. (HRS 205A-2(c)(3(D))

Policy Controls

See Policy 10 on page 40, Policy 11 on page 40, Policy 12 on page 40, Policy 13 on page 40, and Policy 14 on page 40.

- Policy 27** To reinforce existing protections, the official Ka'ū CDP Land Use Policy Map designates coastal areas in Ka'ū as open space to be preserved, protected, and connected to the rich network of natural and cultural resources in the region. Development and construction in the coastal "Conservation" and "Open" areas shall be minimized and, when necessary, limited to recreation, research, and education facilities unless otherwise permitted by law.
- Policy 28** On lots that are at least partially within the Special Management Area (SMA) in the Ka'ū CDP Planning Area, establish shoreline setbacks at the earliest stages of the land use planning and development process at a minimum of 1,320 feet (1/4-mile); however, the

applicant may request that the setback be reduced by providing information to the Department, including information required for SMA review, which would allow for an assessment of the proposed activity’s impacts and in consideration of the physical limitations of the property. For lots created prior to the date of adoption of the CDP with an average lot depth of two hundred feet or less, the shoreline setback line shall be 40 feet.

Policy 29 No development, including subdivision, shall be approved in the SMA unless the development will not have any substantial adverse environmental or ecological effect. (HRS 205A-22(3) & 205A-26(2)(A))

Pursuant to Planning Commission (PC) Rule 9-10(b)(5) & (11), and in order for the Planning Director to accurately evaluate whether the proposed action will have a substantial adverse effect, pursuant to PC Rule 9-4(e)(4), **the Director shall require that SMA Use Permit Assessment and Use Permit applications include all of the information necessary to assess the proposed activity’s impacts in the Special Management Area**, including but not limited to:

- A description of the environmental setting and natural resources in the area, including an assessment of impacts on rare, threatened, or endangered species or their habitat and on fresh and coastal water quality (PC Rule 9-10(b)(5)(A) & (6) and 9-10(h)(7), (8), & (9));
- A description of valued cultural resources or historical sites in the area, including the extent to which traditional and customary native Hawaiian rights are exercised in the area (PC Rule 9-10(b)(6) & (h)(1));
- An assessment of impacts on coastal scenic and open space resources and view planes, including those outlined in the General Plan, the Community Development Plan, and other adopted plans, as well as the line of sight toward the sea from the state highway nearest the coast and along the shoreline (HRS 205A-2(b)(3) (A), HRS 205A-2(c)(3)(B), HRS 205A-26(3)(E), and PC Rule 9-10(h)(1));
- Identification and detailed information of existing public access to and along the shoreline to the specifications required by Na Ala Hele and the Ala Kahakai National Historic Trail (PC Rule 9-10(b)(10));
- An assessment of impacts on hazard risk, including flooding, tsunamis, and coastal erosion and/or sea level rise over the life of the development (PC Rule 9-10(h)(9));
- A description of the relationship of the proposed action to land use plans, policies, and control of the affected area, including the General Plan and Community Development Plan (PC Rule 9-10(b)(5)(B)).

Any development permitted, including those determined to be exempt from the definition of development in Planning Commission Rule 9 (pursuant to Planning Commission Rule 9-10(e) & (g)), shall be subject to terms and conditions to achieve CZM and CDP objectives and policies, including conditions that protect natural, cultural, historic, and recreational resources; preserve agricultural land, open space, and view planes; ensure access; mitigate impacts of coastal hazards; limit coastal development; and concentrate new development (particularly if it is not coastal dependent) on vacant land in town/village centers (before

converting agricultural land to residential uses), and discouraging speculative residential development. Conditions could include but not be limited to setbacks, restrictions on artificial light, lateral and mauka-makai access requirements, dedication of conservation and trail corridor easements, cooperation with efforts to manage access and use of coastal resources, minimizing the number of lots abutting or near the shoreline, and maximizing the use of land in the State Land Use Urban district and/or urban LUPAG categories.

4.2.3 County Action

Policy 30 Amend Planning Department Rule 11 to specify that the Planning Department establish shoreline setbacks in the Kaʻū CDP Planning Area in accordance with Policy 28.

Policy 31 Review SMA boundaries in Kaʻū and initiate appropriate amendments.

4.2.4 Advocacy

4.2.4.1 Department of Land and Natural Resources

- Amend HAR 13-5 to **designate the coastal Conservation District subzones in Kaʻū Limited or Protective.**
- Following the recommendation of the South Kona-Kaʻū Coastal Conservation Task Force, amend HAR 13-5-40(b) to **require that public hearings before the Board of Land and Natural Resources be held in the judicial district in which the land is located.**

4.2.5 Community-Based, Collaborative Action

See Community Action 2 on page 51.



4.3 Protect Agricultural Lands & Open Space

This section of the CDP protects agricultural land and open space from non-agricultural development with the CDP Land Use Policy Map, urban growth boundaries, limits on Special Permits and lots sizes, and restrictions on residential development. It also prioritizes agricultural subdivision standards, revisions in water catchment variance rules, stronger farm dwelling regulations and tax incentive programs, development of transfer of development rights (TDR) and land bank programs, State Important Agricultural Land designations, and expedited lot consolidation in existing rural subdivisions.

4.3.1 Community Objectives

- Objective 1: **Encourage future settlement patterns that are safe, sustainable, and connected.** They should protect people and community facilities from natural hazards, and they should honor the best of Ka’ū’s historic precedents: concentrating new commercial and residential development in compact, walkable, mixed-use town/village centers, **allowing rural development in the rural lands**, and limiting development on the shorelines.
- Objective 2: **Preserve prime and other viable agricultural lands and preserve and enhance viewscapes** that exemplify Ka’ū’s rural character.

4.3.2 Land Use Policy

Policy Intent

- Policy 32** Conserve and protect agricultural lands. (State Constitution Article XI, Section 3; GP 2.3(a), 2.3(s), 14.1.2(b), & 14.2.2(a))
- Policy 33** Preserve the agricultural character of Ka’ū, including the open space preserved by agricultural land. (GP 14.2.2(b) & 14.2.3(d))
- Policy 34** Vacant lands in urban areas should be made available for residential uses before additional agricultural lands are converted into residential uses. (GP 9.3(x))
- Policy 35** Limit development of agricultural land to agricultural uses, discouraging speculative residential development and urban encroachment. (GP 14.2.3(i), (j), & (t))
- Policy 36** Agricultural lands shall not be rezoned to parcels too small to support economically viable farming units. (GP 14.2.3(s))
- Policy 37** Maintain the open space and rural character of the Ocean View, Mark Twain, and Green Sands areas, including continued inclusion in the State Land Use Agricultural district (not Rural), except in the areas in Land Use Policy Map urban categories.

Policy Controls

See Policy 10 on page 40, Policy 11 on page 40, Policy 12 on page 40, Policy 13 on page 40, and Policy 14 on page 40.

- Policy 38** To reinforce existing protections, the official Ka’ū CDP Land Use Policy Map designates agricultural lands in Ka’ū as areas to be preserved for agriculture and open space. Development and construction in “Important Agricultural Land” and “Extensive

Agriculture” areas shall be limited to agriculture, related economic infrastructure and cottage industries, renewable energy, open area recreational uses, and community facilities unless otherwise permitted by law.

Policy 39 The urban growth boundary between agricultural areas (designated “Important Agricultural Land” or “Extensive Agriculture”) and developed areas (designated “Rural,” “Low/Medium/High Density Urban,” “Industrial,” or “Resort”) is parcel-specific in the Ka’ū CDP planning area, except at Punalu’u and the Low/Medium Density Urban and Industrial nodes in Ocean View. Areas outside designated developed areas shall be preserved as agricultural lands, open space, scenic view planes, and natural beauty areas, unless the CDP and the General Plan are in direct conflict.

Policy 40 Special permits of any kind in the “Important Agricultural Land” and “Extensive Agriculture” Land Use Policy Map categories should not be permitted in the Ka’ū CDP planning area, except for the following uses (as defined in HCC chapter 25):

- Agriculture and Related Economic Infrastructure: Animal hospitals, Veterinary establishments, Fertilizer yards utilizing only manure and soil, for commercial use
- Cottage Industry related to Agriculture: Bed and breakfast establishments, Guest ranches, Lodges, Home occupations
- Community Facilities: Community buildings, Public uses and structures, Shooting ranges, ATV courses (in areas without cultural, natural resource, or scenic value)
- Quarries whose permit conditions address geotechnical, engineering, safety, private road use, oversight, and any site-specific issues.
- Urban Uses in Ocean View: Uses consistent with the LDU, MDU, and Industrial LUPAG categories indicated on the Ka’ū CDP Land Use Policy Map in Ocean View, until the SLU boundaries are amended (from Agriculture to Urban).

The Planning Commission shall also include in any Special Permit approval (or recommend for approval to the State Land Use Commission) appropriate performance conditions to achieve CDP objectives and implement CDP policies. (HRS 205-6(c) and Planning Commission Rules 6-3(a)(5)(G), 6-7, & 6-8)

Policy 41 Special permits of any kind in the “Rural” Land Use Policy Map category should not be permitted in the Ka’ū CDP planning area, except for the following uses (as defined in HCC chapter 25):

- Agriculture and Related Economic Infrastructure: Animal hospitals, Veterinary establishments, Kennels
- Cottage Industry: Bed and breakfast establishments, Home occupations, Commercial or personal service uses, on a small scale
- Health and Dependent Care: Day care centers, Family child care homes, Adult day care homes, Group living facilities

- Community Facilities: Community buildings, Meeting facilities, Schools, Churches, temples and synagogues, Public uses and structures, including those privately managed (e.g., road maintenance facilities), Tennis courts, Swimming pools
- Urban Uses in Ocean View: Uses consistent with the LDU, MDU, and Industrial LUPAG categories indicated on the Ka’ū CDP Land Use Policy Map in Ocean View, until the SLU boundaries are amended (from Agricultural to Urban).
- Quarries in Hawaiian Ocean View Estates whose permit conditions address areas of concern with current mining operations, including geotechnical, engineering, safety, private road use, regular oversight by agencies with the necessary expertise and capacity, site restoration plans, and any other site-specific issues.

The Planning Commission shall also include in any Special Permit approval (or recommend for approval to the State Land Use Commission) appropriate performance conditions to achieve CDP objectives and implement CDP policies. (HRS 205-6(c) and Planning Commission Rules 6-3(a)(5)(G), 6-7, & 6-8)

Policy 42 Landowners interested in subdivision of agricultural land in the Ka’ū CDP planning area shall be encouraged to subdivide pursuant to HCC section 23-112 related to farm subdivisions.

Policy 43 When considering applications to consolidate and resubdivide pre-existing lots of record, the Director of Planning shall only permit lots less than one acre in size in the State Land Use Agricultural district if the applicant clearly demonstrates that an unreasonable economic hardship cannot otherwise be prevented or land utilization is improved relative to the objectives and policies of the CDP. (HRS 205-5(b))

Policy 44 Through permit conditions, development agreements, deed restrictions, and/or other means, ensure that areas in the “Important Agricultural Land” and “Extensive Agriculture” Land Use Policy Map categories continue to be utilized for agricultural uses and not for speculative or other residential development.

4.3.3 County Action

See Policy 21 on page 50.

Policy 45 Establish agricultural subdivision standards that 1) lower barriers to the creation of viable farmsteads by reducing infrastructure requirements and expenses; 2) ensure public safety with appropriate rural water systems and roads; and 3) mitigate against speculative development.

Policy 46 Amend Planning Department Rule 22 to increase the number of allowable lots with a water catchment variance, in consideration of zoning, the size of the existing lot, and other site-specific characteristics.

Policy 47 Amend the Hawai’i County Code and associated Planning Department Rules to establish reporting and inspection requirements, as well as enforcement and fine protocols, for additional farm dwellings to ensure that dwellings are used for farm-related purposes.

- Policy 48** Update the County of Hawai‘i’s tax reduction programs to ensure that public tax incentives for agricultural land use result in actual public benefits and promote local agricultural production where possible.
- Policy 49** Conduct a feasibility study for a County-wide Transfer of Development Rights (TDR) and/or Save Land for the Future (SLF) program. If feasible, adopt any necessary enabling County legislation.
- Policy 50** Recommend lands to be designated State Important Agricultural Lands. (GP 14.2.2(a) & 14.2.3(i))
- Policy 51** Preserve open space in Green Sands, Mark Twain, and Ocean View subdivisions by streamlining the lot consolidation process with, for example, fee waivers and exemptions from signage requirements.

See Policy 143 on page 90 and Policy 150 on page 94.

4.3.4 Advocacy

4.3.4.1 State Legislature

- **Appropriate funds to the County of Hawai‘i** to develop recommendations of lands to be designated State Important Agricultural Lands.
- **Pass legislation enabling land banks** that counties can use to acquire tax-delinquent properties and use them to preserve agricultural land and open space.

4.3.5 Community-Based, Collaborative Action

See Community Action 2 on page 51 and Community Action 3 on page 51.



4.4 Protect Mauka Forests

This section of the CDP protects mauka forests from development with the CDP Land Use Policy Map.

4.4.1 Community Objectives

- Objective 1: **Encourage future settlement patterns that are safe, sustainable, and connected.** They should protect people and community facilities from natural hazards, and they should honor the best of Ka‘ū’s historic precedents: concentrating new commercial and residential development in compact, walkable, mixed-use town/village centers, allowing rural development in the rural lands, and limiting development on the shorelines.
- Objective 3: Protect, restore, and enhance **ecosystems**, including **mauka forests** and the shorelines, while assuring responsible access for residents and for visitors.
- Objective 4: **Protect, restore, and enhance Ka‘ū’s unique cultural assets**, including archeological and historic sites and historic buildings.

4.4.2 Land Use Policy

Policy Intent

See Policy 25 on page 52, Policy 62 on page 62, and Policy 69 on page 65.

Policy Controls

Policy 52 To reinforce existing protections, the official Ka‘ū CDP Land Use Policy Map designates mauka forests in Ka‘ū as open space to be preserved, protected, and connected to the region’s rich network of natural and cultural resources. Development and construction in mauka “Conservation” areas shall be minimized and, when necessary, limited to recreation, research, and education facilities unless otherwise permitted by law.

4.4.3 County Action

See Policy 21 on page 50 and Policy 64 on page 62.

4.4.4 Advocacy

See 4.2.4.1 Department of Land and Natural Resources on page 54.

4.4.4.1 Office of Planning, Department of Business, Economic Development and Tourism

- **Designate forest and watershed areas into the Conservation District** during State land use boundary comprehensive reviews. (GP 8.3(m))

4.4.5 Community-Based, Collaborative Action

See Community Action 2 on page 51 and Community Action 3 on page 51.

4.5 Preserve Scenic Areas

This section of the CDP protects open space, areas with natural beauty, and scenic view planes with permitting controls and by prioritizing view plane regulations and scenic routes.

4.5.1 Community Objective

- Objective 2: Preserve prime and other viable agricultural lands and **preserve and enhance views** that exemplify Ka'ū's rural character.

4.5.2 Land Use Policy

Policy Intent

See Policy 33 on page 55.

Policy 53 Protect, preserve and enhance the quality of open space, areas endowed with natural and scenic beauty, and public views to and along the shoreline. (HRS 205A-2(b)(3)(B), HRS 205-26, Charter section 13-29, & GP 7.2(a), 7.2(c), 8.2(e), 14.8.2(a), & 14.8.3(d))

Policy 54 Protect scenic vistas and view planes from becoming obstructed, considering structural setbacks from major thoroughfares and highways to protect view plans. (GP 7.2(b) & 7.3(f))

Policy 55 Do not allow incompatible construction in areas of natural beauty. (GP 7.3(i))

Policy Controls

See Policy 12 on page 40, Policy 14 on page 40, Policy 27 on page 52, Policy 28 on page 52, Policy 38 on page 55, and Policy 39 on page 56.

Policy 56 In the Ka'ū CDP Planning Area, the environmental report for proposed changes of zone on property that may impact open space, view planes, and areas of natural beauty shall include view plane and, as appropriate, line-of-sight analysis and, to facilitate implementation of Policy 10, proposed conditions to mitigate scenic impacts. (HCC 25-2-42)

Policy 57 In the Ka'ū CDP Planning Area, applications for Special Permits that may impact open space, view planes, and areas of natural beauty shall include view plane and, as appropriate, line-of-sight analysis and proposed performance conditions to mitigate scenic impacts. (Planning Commission Rule 6-3(a)(5)(G), 6-7, & 6-8)

Policy 58 In the Ka'ū CDP Planning Area, applications for Use Permits for wind energy facilities and telecommunications antennas and towers shall include view plane and, as appropriate, line-of-sight analysis to demonstrate how the request does not cause substantial, adverse impact to the community's character, including open space, public views, and areas of natural and scenic beauty, and proposed conditions to mitigate scenic impacts. (HCC 25-2-60 & 64)

4.5.3 County Action

- Policy 59** Develop and establish view plane regulations to preserve and to protect from obstruction scenic resources, vistas, view planes, open space, prominent landscapes, and areas of natural beauty identified in the General Plan. (Charter 13-29, HRS 205A, GP 7.2(a), 7.2(b), 7.3(b), 7.3(e), 7.3(f), 7.3(h), 7.3(i), & 14.8.3(d))
- Policy 60** Introduce a resolution to initiate the establishment of a scenic corridor.
- Policy 61** Maintain a continuing program to identify, acquire and develop viewing sites on the island. (GP 7.3(c))

4.5.4 Community-Based, Collaborative Action

Community Action 4: Advance development of scenic routes.



4.6 Protect and Enhance Ecosystems

This section of the CDP encourages the removal of unexploded ordnance, the collaborative development and implementation of resource management plans, the use of Hawaiian plants, and the enforcement necessary to protect ecosystems.

4.6.1 Community Objectives

- Objective 3: **Protect, restore, and enhance ecosystems**, including mauka forests and the shorelines, while assuring responsible access for residents and for visitors.
- Objective 6: **Encourage community-based management plans** to assure that human activity doesn't degrade the quality of Ka'ū's unique natural and cultural landscape.

4.6.2 Land Use Policy

Policy Intent

See Policy 25 on page 52.

Policy 62 Protect, preserve, and effectively manage forests, watersheds, shoreline areas, natural areas, and rare or endangered species and their habitats. (GP 8.2(d) & (e), 14.1.2(c), & 14.8.2(b))

Policy Controls

See Policy 12 on page 40, Policy 14 on page 40, Policy 27 on page 52, Policy 28 on page 52, Policy 29 on page 53, and Policy 52 on page 59.

Policy 63 The Director of Public Works should condition grading and grubbing permits to require screen planting, landscaping, erosion control planting, or other treatments to maintain the good appearance of graded areas and reduce the detrimental impact on adjacent properties. (HCC 10-12(c))

4.6.3 County Action

See Policy 22 on page 50 and Policy 31 on page 54.

Policy 64 Collaborate with the Department of Health, the Three Mountain Alliance, the USDA Natural Resource Conservation Service, and the Soil and Water Conservation District to reduce runoff, maximize soil and water conservation, and protect and effectively manage watersheds and natural areas. (HRS 342D, HAR 11-54-3, GP 4.3(g), 5.2(e) & (f), 5.3(e), (n), & (o), and 8.2(e) & (j))

Policy 65 Actively implement the Honu'apo Park Resources Management Plan.

Policy 66 Complete and implement the Kāwā Stewardship plan.

Policy 67 Develop and implement resource management plans for coastal properties secured by the County in the future.

Policy 68 Encourage the use of Hawaiian plants (indigenous and Polynesian-introduced plants) by state, county, and private landowners in order to support a Hawaiian sense of place, to ensure that our cultural heritage is reflected in landscaping, and to help reverse the displacement and decline of Hawaiian plants.

4.6.4 Advocacy

4.6.4.1 U.S. Congress

- Provide sufficient funding to the Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Pacific Islands Area (PIA), the Farm Service Agency, the National Park Service (NPS), and the Fish and Wildlife Service (FWS) to **adequately implement critical conservation programs**.

4.6.4.2 Army Corps of Engineers

- **Expedite the removal of unexploded ordnance** in the vicinity of Pakini Nui, including additional surveying of potential sites with unexploded ordnance.

4.6.4.3 State Legislature

- Provide the Department of Land and Natural Resources (DLNR) the resources necessary to **actively support local Soil and Water Conservation Districts (SWCD)**.
- Authorize and fund a **South Hawai'i Marine Protected Area (MPA)**.

4.6.4.4 Department of Health

- **Require implementation of management measures** to prevent nonpoint source pollution.

4.6.4.5 Department of Land and Natural Resources

- Following the recommendation of the South Kona-Ka'ū Coastal Conservation Task Force, **dedicate at least one State DOCARE officer to the Ka'ū district to aid in enforcement**.

4.6.4.6 Department of Hawaiian Home Lands

- Maintain the Ka Lae (South Point) coastal areas and related infrastructure for recreational, cultural, education, and/or scientific uses in a manner that is protective of resources and is consistent with the Hawaiian Homes Commission Act and all applicable laws related to Native Hawaiian rights and public shoreline access. (GP 8.3(c) & 12.5.9.2(d)).

4.6.4.7 Three Mountain Alliance (TMA)

- **Strengthen the community and County role in the TMA.**
- **Actively implement the Ocean Resources Management Plan (ORMP), the Rain Follows the Forest plan, and the Ka'ū Forest Reserve Management Plan.**
- **Develop watershed management plans** for high priority watersheds.

4.6.5 Community-Based, Collaborative Action

Community Action 5: Develop and implement site-specific and watershed-specific management plans for high priority areas and resources.

Community Action 6: Promote soil and water conservation best practices.

See **Community Action 19** on page 83 and **Community Action 29** on page 97.



4.7 Protect and Enhance Cultural Assets

This section of the CDP prioritizes the preservation of cultural resources, historic buildings, and roads and the development of historic streetscapes and rural road standards. It also guides community-led efforts to restore historic sites and buildings, retain village and town character, and document oral, written, and video histories.

4.7.1 Community Objectives

- Objective 4: **Protect, restore, and enhance Ka’ū’s unique cultural assets**, including archeological and historic sites and historic buildings.
- Objective 5: **Establish and enforce standards for development and construction that reflect community values of architectural beauty and distinctiveness.**
- Objective 6: **Encourage community-based management plans** to assure that human activity doesn’t degrade the quality of Ka’ū’s unique natural and cultural landscape.

4.7.2 Land Use Policy

Policy Intent

See Policy 24 on page 52.

Policy 69 Protect, restore, and enhance the sites, buildings, and objects of significant historical and cultural importance to Hawai’i. (GP 6.2(a))

Policy 70 Protect all rights, customarily and traditionally exercised for subsistence, cultural and religious purposes and possessed by ahupua’a tenants who are descendants of native Hawaiians who inhabited the Hawaiian Islands prior to 1778, subject to the right of the State to regulate such rights. (Hawai’i State Constitution, Article 12, section 7; HRS §§ 1-1 & 7-1; *Ka Pa’akai o ka ‘Āina v. Land Use Comm’n*, 94 Hawai’i 31 (2000); *Pele Defense Fund v. Paty*, 73 Haw. 578 (1992))

Policy Controls

See Policy 12 on page 40, Policy 14 on page 40, Policy 27 on page 52, and Policy 52 on page 59.

Policy 71 Review and comment by DLNR’s State Historic Preservation Division (SHPD) shall be requested for any permit or entitlement for use which may affect any building, structure, object, district, area, or site that is over fifty years old, except as provided in HRS section 6E-42.2. (HRS 6E-42)

Policy 72 In the “Low Density Urban” (LDU) and “Medium Density Urban” Land Use Policy Map categories, in those cases where provisions of the zoning and subdivision codes are inconsistent with the character of surrounding neighborhoods, variances or PUDs that maintain consistent village/town character should be encouraged.

Policy 73 The development of commercial facilities should be designed to fit into the locale with minimal intrusion while providing the desired services. Appropriate infrastructure and design concerns shall be incorporated into the review of such developments. (GP 14.3.3(f))

Policy 74 As appropriate to maintain community character while also accommodating drainage, walkability, maintenance, and other site-specific needs when improving existing roads in Pāhala, Nā'ālehu, and Wai'ōhinu, retain the current road design, including pavement width and lack of curbs, gutters, sidewalks, or paved shoulders and swales.

Policy 75 As appropriate to maintain community character while also accommodating drainage, walkability, maintenance, and other site-specific needs, new roads (both public and private) in the Ka'ū CDP planning area may be constructed without curbs, gutters, sidewalks, or paved shoulders and swales. (HCC 23-41, 86, 87, & 91)

4.7.3 County Action

See Policy 22 on page 50 and Policy 31 on page 54.

Policy 76 Restore and enhance the sites, buildings, and objects of significant historical and cultural importance to Hawai'i. (GP 6.2(a) and 6.3(e), (f), & (j))

Policy 77 Adopt and implement street design standards that accommodate, where appropriate, flexibility in the design of streets to preserve the rural character of an area, including pavement width, unpaved shoulders/swales, rock walls, lighting, and landscaping featuring native plants. (GP 13.2.3(l); North Kohala CDP Strategy 4.8)

Policy 78 Install an historic streetscape on Kamani Street in Pāhala.

4.7.4 Advocacy

4.7.4.1 State Legislature

- Following HRS 6E, provide the Department of Land and Natural resources sufficient staff and funding for the State Historic Preservation Division to fulfill its mandate.

4.7.5 Community-Based, Collaborative Actions

See Community Action 2 on page 51 and Community Action 4 on page 61.

Community Action 7: Develop and implement a regional plan for managing cultural and historic resources.

Community Action 8: Develop and implement site-specific cultural resource management plans for high priority areas and resources.

Community Action 9: Restore the Nā'ālehu Theater.

Community Action 10: Develop and implement place-based strategies to retain village and town character.

Community Action 11: Document, maintain, and share the mo'olelo of Ka'ū through oral, written, and/or video histories.

Community Action 12: Establish a Ka'ū Cultural Network.

See Community Action 19 on page 83 and Community Action 29 on page 97.

4.8 Establish and Manage Public Access

This section of the CDP ensures appropriate public access to the shoreline and mauka forests, guides community-led access management, and prioritizes a County public access program.

4.8.1 Community Objectives

- Objective 3: Protect, restore, and enhance ecosystems, including mauka forests and the shorelines, while **assuring responsible access for residents and for visitors**.
- Objective 6: **Encourage community-based management plans** to assure that human activity doesn't degrade the quality of Ka'ū's unique natural and cultural landscape.

4.8.2 Land Use Policy

Policy Intent

See Policy 70 on page 65.

Policy 79 Ensure appropriate public access to the shoreline, public trails, hunting areas, scenic places and vistas, and significant historic sites, buildings, and objects of public interest. Additionally, ensure access for cultural practitioners. (GP 6.2(b), 7.3(a), and 8.3(r))

Policy Controls

Policy 80 Appropriate public access to and along the shoreline shall be ensured as a condition of SMA exemptions and permits. (HRS 205A-26)

Policy 81 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. (HRS 46-6.5 and HCC 34-4(c))

4.8.3 County Action

See Policy 22 on page 50.

Policy 82 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. (115-2 & 7; GP 6.3(d))

Policy 83 Establish and maintain an active public access program.

4.8.4 Advocacy

4.8.4.1 State Legislature

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

4.8.4.2 *Three Mountain Alliance (TMA)*

- Actively implement the TMA and Kaʻū Forest Reserve management plans, including steps to:
 - Maintain existing public access roads
 - Increase public access for hiking and other recreational activities on public lands
 - Support public hunting on appropriate lands, where compatible with watershed protection values
 - Establish access agreements and management partnerships with landowners and local ranchers, farmers, and hunters
 - Develop new access routes to increase access in cooperation with neighboring uses, particularly on existing roads or other alignments just within the Reserve boundary, and across private and State-leased lands below the Reserve
 - Develop a mauka access management system, building on lessons learned from the Kapāpala Ranch access system.

4.8.5 **Community-Based, Collaborative Action**

Community Action 13: Develop and implement plans to establish and manage specific access points and trail segments.



4.9 Establish and Manage a Regional Trail System

This section of the CDP prioritizes and guides the development of a regional network of trails.

4.9.1 Community Objective

- Objective 8: **Establish** a rural transportation network, including roadway alternatives to Highway 11, a **regional trail system**, and an interconnected transit system.

4.9.2 Land Use Policy

Policy Control

Policy 84 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. (HCC 23-30)

4.9.3 County Action

Policy 85 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 island-wide route connecting major parks and destinations. (GP 12.3(m))

Policy 86 Actively implement the Ala Kahakai National Historic Trail Memorandum of Understanding in Ka'ū.

Policy 87 Appropriate, finance, allot, and encumber capital improvement projects in support of trail development as part of a regional trail system.

4.9.4 Advocacy

4.9.4.1 *National Park Service*

- Actively implement the Ala Kahakai National Historic Trail Memorandum of Understanding in Ka'ū.

4.9.4.2 *Department of Land and Natural Resources*

- Actively implement the Ala Kahakai National Historic Trail Memorandum of Understanding in Ka'ū.

4.9.4.3 *Three Mountain Alliance*

- Actively implement the TMA and Ka'ū Forest Reserve management plans, including steps to:
 - Maintain existing trails in the TMA area
 - Facilitate development of the Mauna Loa Trail.

4.9.5 Community-Based, Collaborative Action

See Community Action 13 on page 68 and Community Action 29 on page 97.

4.10 Establish and Manage Access and Trail Facilities

This section of the CDP prioritizes and guides the development and management of access and trail facilities.

4.10.1 Community Objective

- Objective 7: **Identify viable sites for critical community infrastructure**, including water, emergency services and educational facilities to serve both youth and adults.

4.10.2 County Action

See Policy 22 on page 50, Policy 65 on page 62, and Policy 67 on page 62.

Policy 88 Establish the Punalu'u-Ninole Springs region as a recreation area. (GP 12.5.9.2(c) & (g))

4.10.3 Advocacy

4.10.3.1 Department of Land and Natural Resources

- Establish Ka'alu'alu Bay or nearby coastal areas as a remote camping-beach park provided that the state and private landowners can resolve liability and resource management issues. (GP 12.5.9.2(e))
- Develop wilderness recreation uses in Manukā.

4.10.3.2 Department of Hawaiian Home Lands

See 4.6.4.6 Department of Hawaiian Home Lands on page 63.

4.10.3.3 Three Mountain Alliance (TMA)

- Actively implement the TMA and Ka'ū Forest Reserve management plans, including steps to develop low-impact recreational amenities.

4.10.4 Community-Based, Collaborative Action

Community Action 14: Support facilities development and management at access points and along trail corridors.

