15.0 ACKNOWLEDGMENTS

Members of the Lāwa`i Kai Community Advisory Group, who worked from January 2007 to July 2012, to guide the development of this plan.

Beryl Blaich                  Mālama Māhā'ulepū
Hartwell Blake               Kōloa Community Association
Teddy Blake                  Kōloa Community Association
David Bukoski                Kōloa resident
Stella Burgess               Cultural practitioner, Grand Hyatt Kaua`i Resort & Spa
David Chang                  Malama Māhā'ulepū, Sierra Club
Andy Evans                   Captain Andy’s Sailing Adventure
Rick Haviland                Outfitters Kauai
Dick Holtzman                Kukui`ula Development Company Hawaii
Ronald Iida                  Royal Order of Kamehameha
Ivan Kaneko                  Kalāheo resident, fisherman
Gini Kapali                  Kukui`ula Development Company Hawaii
Sue Kanoho                   Kaua`i Visitors Bureau
Tessie Kinnaman              Lāwa`i resident
Jody Kjeldsen                Po`ipū Beach Resort Association
Russell Kyono                Lāwa`i resident, fisherman
Sam Lee                      Kōloa resident
Keith Nitta                  Kalāheo resident, surfer
Marvin Otsuji                Sea Sport Divers
Saburo Yoshioka              Kukuiolono Community Association

Members of the Lāwa`i Kai Community Advisory Group who joined in the 2nd quarter of 2012 include:

Brent Herrington             Kukui`ula Development Company Hawaii
Wayne Katayama               Kaua`i Coffee
Kurt Matsumoto               Kukui`ula Development Company Hawaii
Robert Miguel                Kukui`ula Development Company Hawaii

Key resources to the Lāwa`i Kai Community Advisory Group and Project Team include:
<table>
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<th>Name</th>
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<tr>
<td>Holbrook Goodale</td>
<td>Kamaʻāina, NTBG Trustee</td>
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<td>Betty Snowden</td>
<td>Duarte/Puaoi ‘Ohana</td>
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<td>Robert Nishimoto</td>
<td>DLNR, Aquatic Resources</td>
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<tr>
<td>Skippy Hau</td>
<td>DLNR, Aquatic Resources</td>
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<td>Don Heacock</td>
<td>DLNR, Aquatic Resources</td>
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<tr>
<td>Joe Borden</td>
<td>DLNR, Boating and Recreation</td>
</tr>
<tr>
<td>Tommy Oi</td>
<td>DLNR, Land Division</td>
</tr>
<tr>
<td>Kate Kastner</td>
<td>Historic Hawaiʻi Foundation</td>
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Although they could not attend Lāwaʻi Kai Community Advisory Group meetings, we appreciate the manao and feedback from the following individuals:

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<td>Herbert Hikiji</td>
<td>Lāwaʻi Community Association</td>
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<tr>
<td>Betty Snowden</td>
<td>Duarte/Puaoi ‘Ohana</td>
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<tr>
<td>Lavonne Cobb</td>
<td>Duarte/Puaoi ‘Ohana</td>
</tr>
<tr>
<td>Damian Kona Duarte</td>
<td>Duarte/Puaoi ‘Ohana</td>
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The Lāwaʻi Kai Community Advisory Group’s boat trip into Lāwaʻi Bay would not have been possible without the generosity of:

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<tr>
<td>Andy Evans</td>
<td>Captain Andy’s Sailing Adventure</td>
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<tr>
<td>Stella Burgess</td>
<td>Grand Hyatt Kaauʻi Resort &amp; Spa</td>
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The following NTBG staff participated in the development of this plan:

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<tr>
<td>Vera Benedek</td>
<td>Grantwriter</td>
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<tr>
<td>Jonathan Carbone</td>
<td>GIS Coordinator</td>
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<tr>
<td>Jim De Costa</td>
<td>Security</td>
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<tr>
<td>Mike DeMotta</td>
<td>Assistant Director of Living Collections and Horticulture</td>
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<tr>
<td>Timothy Flynn</td>
<td>Herbarium Collections Manager</td>
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<tr>
<td>Janet Leopold</td>
<td>Public Relations</td>
</tr>
<tr>
<td>David H. Lorence</td>
<td>Director of Science</td>
</tr>
<tr>
<td>Janet Mayfield</td>
<td>Director of Communications</td>
</tr>
<tr>
<td>Walt McCoy</td>
<td>Assistant Director of Marketing and Visitor Services Southshore Gardens</td>
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<tr>
<td>Hauʻoli Wichman</td>
<td>Executive Assistant to the CEO and Director</td>
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The following consultants completed in-depth studies that describe the resources of Lāwaʻi Kai.

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<th>Name</th>
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<tr>
<td>Alan M. Friedlander</td>
<td>Oceanic Institute</td>
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</table>
Cynthia Hunter  
University of Hawai‘i, Biology Department

Michael H. Kido  
University of Hawai‘i, Hawai‘i Stream Research Center

Stephanie Kreiger  
Researcher

Matt Rossner  
Hydrologist

Robert L. Spear  
Scientific Consultant Services, Inc.

Leanne McGarvey  
Scientific Consultant Services, Inc.

Rachael Hoerman  
Scientific Consultant Services, Inc.

Lāwa‘i Kai Master Plan & Management Plan Project Team:

Chipper Wichman  
NTBG, CEO and Director

Scott Sloan  
NTBG, Assistant Director – McBryde & Allerton

David Burney  
NTBG, Director of Conservation

Richard E. Hanna  
NTBG, Librarian

Nadine Nakamura  
NKN Project Planning

Barbara Robeson  
Researcher
16.0 REFERENCES


State of Hawai‘i, Office of Planning, Hawai‘i Statewide GIS Program. Available at: hawaii.gov/dbedt/gis/. Accessed 4-4-09.


17.0 APPENDICES

A. Letter of Authorization from the Allerton Gardens Trust to the Department of Land and Natural Resources

B. Management Plan: Goals and Objectives

C. Proposed Rules for the Commercial and Public Recreational Vessels Using the Lāwaʻi Kai Bay

D. Proposed Rules for the Unencumbered Public Lands of Lāwaʻi Kai Beach

E. User Surveys and Methodology

F. Preservation Planning for Historic Resources
October 21, 2009

Mr. Chopper Wichman, Director and CEO
National Tropical Botanical Garden
3360 Papalino Road
Kalaheo, HI 96741

Dear Mr. Wichman:

Subject: Līwaʻi Kai Special Subzone Master Plan & Management Plan
Līwaʻi, Kauaʻi, Hawaiʻi

As the Trustee of the Allerton Gardens Trust (AGT), owner of Allerton Garden located in Līwaʻi, Kauaʻi, Hawaiʻi, on TMKs (4) 2-6-002 parcels 001, 004, 005, 006, 007, 008, and 009 which property totals 87.51 acres, I hereby authorize the National Tropical Botanical Garden (NTBG) to serve as the agent of AGT before the State of Hawaiʻi’s Department of Land and Natural Resources and the County of Kauaʻi to change the State Conservation Districts subzone designation for the Allerton Garden from the existing Limited Subzone designation to the proposed Līwaʻi Kai Special Subzone designation.

Please do not hesitate to contact me if you have any questions concerning this authorization.

Sincerely,

Timothy Hargriff
Trustee – Allerton Garden Trust
J.P. Morgan Chase

*Products and services, including securities and custody products and services, are offered through JPMorgan Chase Bank, N.A. and its affiliates. Securities and offered by J.P. Morgan Securities LLC, an affiliate of JPMorgan Chase Bank, N.A.*
Appendix B

MANAGEMENT PLANS: Goals and Objectives Summary

HISTORIC RESOURCES

Goal 1 Protect and preserve the historic resources of the Lāwa‘i Kai Special Subzone

Objective 1.1 Create Interpretation Plan for historical resources
Objective 1.2 Evaluate the possible nomination to State & National Registers of Historic Places
Objective 1.3 Consider feasibility of designation as a Cultural Landscape
Objective 1.4 Develop Historic Preservation Plan for Allerton Garden
Objective 1.5 Update Disaster Management Plan to include preservation component
Objective 1.6 Maintain and repair historic structures

LANDSCAPE RESOURCES

Goal 1 Preserve garden resources consistent with the historic Allerton Garden design

Objective 1.1 Develop a written safety plan and communicate procedures to appropriate staff and volunteers
Objective 2.1 Maintain an adequately-sized, trained, and knowledgeable workforce to maintain the historic integrity of the Garden
Objective 2.2 Maintain historic integrity and plant materials within the Garden
Objective 2.3 Stabilize and protect topography in areas prone to soil erosion and runoff using Best Management Practices (BMP)
Objective 3.1 Map, inventory, and document existing garden resources
Objective 3.2 Inventory and document vegetative features and their historic context
Objective 4.1 Minimize the visual impacts from adjacent developments

Goal 2 Preserve the integrity of the historic landscape by controlling alien animals

Objective 5.1 Exclude the pig population and other ungulates within the Lāwa‘i Kai Special Subzone
Objective 5.2 Reduce or remove feral cat and dog populations
Objective 5.3 Reduce or remove chickens within the Garden area
Objective 5.4 Reduce or eliminate rat population

INFRASTRUCTURE RESOURCES

Goal 1 Stabilize and improve the infrastructure to preserve the historic Allerton Garden

Objective 1.1 Upgrade tool sheds wastewater system
Objective 1.2 Upgrade guest house wastewater system
Objective 2.1 Maintain roadway surfaces and paths as funding permits
Objective 2.2 Improve roadway surfaces and paths as funding permits
Objective 2.3 Consider feasibility of rebuilding stream crossing/bridge in historical location to accommodate maintenance vehicles and pedestrians
Objective 3.1 Explore feasibility of changing water features to a closed loop system
Objective 3.2 Determine ways to improve the system for water features
Objective 3.3 Explore ways to prevent leakage while preserving the historical integrity of water features
Objective 4.1 Examine alternative sources of potable water from the east and west sides of Lāwaʻi Valley
Objective 4.2 Upgrade existing water system if no alternatives are available
Objective 5.1 Improve the Pump 6 water system
Objective 5.2 Consider ways to separate the irrigation system from the water features system
Objective 5.3 Design and install a more efficient water distribution system
Objective 5.4 Analyze ways to become more energy efficient and explore use of renewable energy for powering Pump 6
Objective 6.1 Finalize a permanent vehicular access from Visitor Center over KDCH property
Objective 6.2 Explore the feasibility of installing a fence on the east and west sides of the Garden
Objective 7.1 Maintain and preserve rock walls and steps as funding permits
Objective 7.2 Study new routing of electrical and telephone lines

ARCHAEOLOGICAL RESOURCES

Goal 1 Protect and Preserve the Archaeological Sites within Allerton Garden

Objective 1.1 Continue to provide access to the sites for traditional and cultural uses by lineal descendants
Objective 2.1 Continue to implement maintenance plan for Allerton Garden
Objective 2.2 Manage human activity on the beach through adoption of rules
Objective 3.1 Include identified archaeological resources if Allerton Garden is nominated to the State and National Registers of Historic Places
Objective 3.2 Explore funding opportunities and collaborations with independent researchers, graduate students, and cultural preservation groups
Objective 3.3 Develop an Archaeological Preservation Plan for identified archaeological sites
Objective 3.4 Develop interpretive plan and materials on the pre-contact history of Lāwaʻi Valley that are consistent with State Historic Preservation Office guidelines

LĀWAʻI ESTUARY AND STREAM RESOURCES

Goal 1 Improve water quality & ecological health of Lāwaʻi Kai estuary, stream, and coastal waters.

Objective 1.1 Develop baseline data and monitor water quality in stream and estuary
Objective 1.2 Develop Best Management Practices for bank management within the project area along stream corridor
Objective 1.3 Contain and control non-native vegetation within the Garden area. Monitor for invasive trends and remove invasives
Objective 1.4 Educate the public about the benefits of using BMPs for the ecological restoration of estuary and bay
Objective 1.5 Maintain the natural connection (sandbar) between the estuary and stream
Objective 1.6 Delineate wetland areas
Objective 1.7 Consider feasibility of hardening earthen roads with permeable surfaces within the project area
Objective 1.8 Explore feasibility of fishpond restoration

Goal 2 Restore and protect native aquatic species in Lāwaʻi Kai Estuary and Stream

Objective 2.1 Manage and reduce the number of alien aquatic species such as guppies, tilapia, Tahitian prawn, Samoan crab
Objective 2.2 Improve natural habitat in stream and estuary to allow for the recruitment and return of native species. Explore the establishment of permanent in-stream flow minima to maintain aquatic habitats through drought conditions, in cooperation with other landowners in the watershed.

COASTAL AND MARINE RESOURCES

Goal 1 Restore native coastal ecosystem on Lāwa‘i Kai Beach

Objective 1.1 Assist State and Federal agencies in tracking and monitoring green sea turtle activities, habitat, and populations
Objective 1.2 Improve and maintain nesting habitat for green sea turtles
Objective 1.3 Ban nighttime lighting on beach and coastal areas
Objective 1.4 Eliminate maintenance vehicle tracks on beach
Objective 2.1 Maintain Lāwa‘i Kai as a safe haven for monk seals
Objective 3.2 Reduce or remove feral cat populations (same as Landscape Resource Plan, Objective 5.2)

Goal 2 Educate the public about the unique resources and ecosystem of Lāwa‘i Kai Beach and Bay

Objective 4.1 Train staff, tour guides, and volunteers to educate the public

Goal 3 Improve the marine resources of Lāwa‘i Kai Bay

Objective 5.1 Improve the marine habitats in Lāwa‘i Kai Bay for feeding, resting, and reproduction of resource species.
Objective 5.2 Gather and record traditional knowledge of cultural practices of the area.

RECREATION AND COMMERCIAL

Goal 1 Manage recreational and commercial activities at Lāwa‘i Kai Beach and Bay

Objective 1.1 Create the Lāwa‘i Kai Special Subzone to encourage an integrated resource management approach
Objective 1.2 Manage human activity on the beach through adoption of rules
Objective 2.1 Ban nighttime lighting on beach and coastal area
Objective 3.1 Form the Lāwa‘i Kai Resource Advisory Committee to create a strong relationship between the community and the DLNR
Objective 3.2 Establish a “Makai Watch” program for coastal and marine resources
Objective 4.1 Maintain numbers of motorized and non-motorized activity at existing levels.
Appendix C

STATE OF HAWAII
HAWAI'I ADMINISTRATIVE RULES
TITLE 13
DEPARTMENT OF LAND AND NATURAL RESOURCES
SUBTITLE 11
OCEAN RECREATION AND COASTAL AREAS
PART 3
OCEAN WATERS, NAVIGABLE STREAMS AND BEACHES
CHAPTER 256
OCEAN RECREATION MANAGEMENT RULES

AMEND SUBCHAPTER 3
SOUTH SHORE KAUA'I OCEAN RECREATION MANAGEMENT AREAS

§13-256-57 Lawai Kai Bay ocean waters restricted area

§13-256-57 Lawai Kai Bay ocean waters restricted zones.

(a) Purpose: The purpose of these rules is to (1) protect and preserve the natural environment and unique experience of Lawai Kai Bay ocean waters within the Special Subzone area, (2) continue the existing levels of public recreational and commercial uses of Lawai Kai Bay ocean waters, and (3) protect and preserve the habitats of the green sea turtle and Hawaiian monk seal within the Special Subzone.

(b) Definitions:

"Lawai Kai Bay ocean waters" means all ocean waters within the Lāwaʻi Kai Special Subzone area and confined by the boundaries shown on Exhibit “X” dated _____, located at the end of this subchapter and described as follows:
"Ingress/Egress Corridor" means the area established daily by the users of the corridor to determine the best direction for approach to or departure from the shoreline under existing wind and sea conditions.

(c) Zone A, Lawai Kai Bay ocean waters.

(1) Zone A, Lawai Kay Bay ocean waters means the ocean waters confined by the boundaries for said zones as shown on Exhibit X, dated ____, located at the end of this subchapter. The boundaries of Zone A are as follows:

(2) General restrictions, Zone A, Lawai Kai Bay ocean waters.

(a) In addition to all federal, state, and county laws, rules, and ordinances, the following restrictions shall apply to all activities in Lāwaʻi Kai Bay ocean waters.

(b) All recreational and commercial motorized vessels operating, anchoring, or transiting Lawai Kai Bay ocean waters are restricted to Zone A, and are prohibited from landing on the beach.

(c) No commercial vessel shall load or unload passengers in Lāwaʻi Kai Bay ocean waters or the lands adjacent thereto without a Special Management Area permit first issued by the County of Kauaʻi, and then a permit issued by the Department of Land and Natural Resources.

(d) No person shall operate a vessel at a speed in excess of “slow-no-wake” speed within Zone A.

(e) No person shall navigate a motorboat or self-propelled vessel within three hundred feet of a diver or swimmer’s buoy, flag or other safety marker.

(f) No more than two motorized vessels shall be permitted to anchor within Zone A at any given time.
(g) Anchoring in Lāwa‘i Kai Bay ocean waters shall be restricted to the sandy bottom area only.

(h) No motorized vessels shall anchor for more than two (2) hours within Zone A.

(i) All thrillcraft and jet skis are prohibited within the Lawai Kai Bay ocean waters.

(j) Fishing is prohibited within Zone A and Zone B. This restriction shall not apply to non-motorized vessels engaged in small scale surround net fishing,1 pole fishing or crabbing.

(3) Commercial vessel restrictions. Zone A, Lawai Kai Bay ocean waters.

(a) Commercial motorized vessels are restricted to Zone A only.

(b) Passengers on commercial motorized vessels are restricted to Zone A for swimming, snorkeling, scuba other water-based activities, and walking along the western coastline, and prohibited from swimming to Lawai Kai Beach from Zone A.

(c) Commercial non-motorized vessels with valid State of Hawaii, Department of Land and Natural Resources, Division of Boating and Ocean Recreation (DBOR) permits shall:

i. Land on Lawai Kai Beach only by transiting through Zone A and the designated Ingress/Egress corridor.

ii. Not be permitted beyond Zone A or to land on the beach during turtle nesting season May 1 through September 30. These dates may be adjusted to earlier than May 1, or later than September 30 if green sea turtles are found nesting in the area.

1 Surround net fishing refers to the cultural and traditional practice of using a small vessel to catch fish by surrounding the school of fish, then gathering the fish within the net.
(4) **Recreational vessel restrictions. Zone A, Lawai Kai Bay ocean waters.**

(a) Motorized recreational vessels are restricted to Zone A.

(b) Recreational non-motorized vessels shall not be permitted beyond Zone A or to land on the beach on unencumbered public lands during turtle nesting season May 1 through September 30. These dates may be adjusted to earlier than May 1, or later than September 30 if green sea turtles are found nesting in the area.

(d) **Zone B, Lawai Kai Bay ocean waters.**

(1) Zone B, Lawai Kay Bay ocean waters mean the ocean waters confined by the boundaries for said zones as shown on Exhibit X, dated ____, located at the end of this subchapter. Zone B includes an Ingress/Egress corridor. The boundaries of Zone B are as follows:

> [DLNR to add legal description]

(2) Zone B, Ingress/Egress corridor. The Ingress/Egress corridor is the area established daily by the users of the corridor to determine the best direction for approach to or departure from the shoreline under existing wind and sea conditions. The Ingress/Egress corridor is restricted to non-motorized vessels only.

(e) **General restrictions, Zone B, Lawai Kai Bay ocean waters.**

(1) All federal, state, and county laws, rules, and ordinances shall apply to all activities in Lāwaʻi Kai Bay ocean waters.

(f) **Exempted activities, Lawai Kai Bay ocean waters.**

(1) Exempted commercial uses in Zone A include snorkeling, scuba, and other water-based activities, and shall be limited to daylight hours and must be accompanied by proper buoys, flags, and markers, identifying them for safety reasons.
(2) Exempted recreational uses in Zone A and Zone B include snorkeling, scuba, spear fishing and other water-based activities, shall be limited to daylight hours, and must be accompanied by proper buoys, flags, and markers, identifying them for safety reasons.

Proposed Lāwaʻi Kai Bay ocean waters restricted area.
Appendix D

HAWAI‘I ADMINISTRATIVE RULES
TITLE 13
DEPARTMENT OF LAND AND NATURAL RESOURCES
SUB-TITLE 10
LAND MANAGEMENT
CHAPTER 221
UNENCUMBERED PUBLIC LANDS

AMENDMENT: Add Subchapter, Lāwa‘i Kai Unencumbered Public Lands
(DLNR)

SUBCHAPTER X
GENERAL PROVISIONS

§ 13-221-1 History. The Lāwa‘i Kai Special Subzone was established in ______. These unencumbered public lands are regulated by the Department of Land and Natural Resources Administrative Rules 13-5. The Special Subzone is in the Conservation District, and includes the Lāwa‘i Kai Bay, Lāwa‘i Kai Beach, and the National Tropical Botanical Garden’s Allerton Garden properties. [NOTE: possible revisions after adoption of the Lāwa‘i Kai Special Subzone and signing of revised 13-5 by Governor]

The objective of the Special Subzone is to provide for areas possessing unique developmental qualities which complement the natural resources of the area. The beach and shoreline areas are well-documented nesting and hatching area for threatened Green Sea Turtles (Honu • Chelonia mydas) and hauling out area for the endangered Hawaiian Monk Seal (Monachus schauinslandi). The nesting and hatching season for the turtles runs annually between May through October. Monk
seals\(^2\) have been observed year round, hunting for fish, especially the *moi*, in the sandy waters, and occasionally hauling out.

§ 13-221-2 **Purpose.** The purpose of this chapter is to control public activities on unencumbered public lands. The unencumbered public lands specific to this chapter include the beach and shoreline areas within the Lāwa’i Kai Special Subzone area.

§ 13-221-3 **Definitions.**

“Lāwa’i Kai Unencumbered Public Lands” means the land area confined by the boundaries for said zone as shown in Exhibit X, dated ____ [to be determined by the DLNR].

“Turtle Nesting Area” means the restricted area around a nest that has been dug that season, between the high tide mark and the inland boundary of the Lāwa’i Kai Special Subzone Unencumbered Public Land Area.

“Unencumbered public lands” means any lands defined as public lands by section 171-2, HRS, and which have not been:

1. Set aside for any purpose, by statute, executive order or otherwise, to a government agency, or
2. Encumbered by lease, license, permit, easement or otherwise issued by the department.\(^3\)

Unencumbered public lands include, but are not limited to, beach and coastal areas, submerged lands, and mountainous non-forest reserve, wildlife, or park areas.

---

\(^2\) Monk Seals are protected by the Marine Mammal Protection Act of 1972 (MMPA) and further protected by the Endangered Species Act of 1973 (ESA) and under Hawai’i State Law.

\(^3\) 13-221-2, Definitions also states that unencumbered public lands include, but are not limited to, beach and coastal areas, submerged lands, and mountainous non-forest reserve, wildlife, or park areas (hereinafter called the “premises”).
§ 13-221-4  Permitted Uses and Activities: (a) Public recreational activities such as sun bathing, recreational swimming, boarding activities, pole fishing, throw net fishing, diving, spear-fishing, and other water-based uses are all permitted.

(b) Non-motorized recreational vessels may land on the unencumbered lands of the beach or coastal areas within the Lāwa`i Kai Special Subzone.

(c) Non-motorized commercial vessels may land on the unencumbered lands of the beach or coastal areas within the Lāwa`i Kai Special Subzone under the following conditions:
   i. All commercial operations shall operate from a state facility under a permit system administered by the DLNR, Division of Boating and Ocean Recreation.4
   ii. The daily limit shall be 20 persons per day, and up to 10 persons at any given time.

§ 13-221-5 Restrictions:

a) There shall be no new commercial permits issued by the Board of Land and Natural Resources for the use of the Lāwa`i Kai Special Subzone Unencumbered Public Land Area, and notwithstanding above Section § 13-221-4(c).

b) No person shall:
   i. Enter the premises with dogs unless they are on a leash. This section shall not apply to seeing-eye dogs accompanying their masters.
   ii. Engage in horseback riding on the beach.
   iii. Dispose of garbage, trash, or waste materials in the shoreline area.

4 DBOR rules may include the following conditions:
   ▪ Permits are valid for one year. Permits shall automatically terminate on the expiration date and there shall be no presumption or implication of a right to renew.
   ▪ Permits are not transferable between people, partners, corporations, etc.
   ▪ An application for a commercial use permit shall be made in writing to the department on the form provided by the department.
   ▪ The DLNR/DBOR may reduce the number of permits, vessels, passengers, landings, etc. over time.
iv. Molest, disturb, injure, trap, take, catch, possess, poison, or kill any wild bird or mammal, or disturb their habitat within the Lāwaʻi Kai Special Subzone Unencumbered Public Land area, except when otherwise authorized by all applicable federal, state and county laws and rules.

v. Operate, beach, park commercial vessels on the premises without a written authorization of the Board of Land and Natural Resources or its authorized representative.

c) There shall be no nighttime use of beach/shoreline area.

d) There shall be no fires, or overnight camping.

e) There shall be no nighttime lights during months of May 1 through September 30.

f) Wildlife restrictions:
   i. When Hawaiian Monk Seals are present on the beach or shoreline area, all persons must stay at least 150 feet from away from all seals and not cross the beach between a mother seal and her pup.\(^5\)

   ii. Activities and uses on the beach during Green Sea Turtle nesting and hatching periods of May 1 through September 30 are restricted to areas outside the demarcated Turtle Nesting Area.

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\(^{5}\) Monk Seals are protected by the Marine Mammal Protection Act of 1972 (MMPA) and further protected by the Endangered Species Act of 1973 (ESA) and under Hawaiʻi State Law.
Appendix E

CATEGORY I ACTIVITIES
Number of Surfers, Swimmers, and Beachgoers to Lawai Beach

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Appendix E
Appendix F

Preservation Planning for Historic Resources

Preservation planning is a process that organizes preservation activities (identification, evaluation, registration and treatment of historic properties) in a logical sequence. The Secretary of the Interior’s Standards and Guidelines for Preservation Planning\(^6\) discuss the relationship among these activities while the remaining activity standards consider how each activity should be carried out.

The Standards for Planning outline a process that determines when an area should be examined for historic properties, whether an identified property is significant, and how a significant property should be treated. Some steps could include:

- Develop a scope of work and establish/seek funding to inventory and document historic resources.
- Survey and document the historic resources and cultural landscape elements of the project area and produce Cultural Landscape Reports for each of the four elements that meet criteria.
- Research, inventory and document existing conditions, creating a baseline for the landscape and historic elements.
- Establish a cultural landscape preservation team (to consult with experts in landscape architecture, landscape archaeology, history, horticulture, planning, architecture, engineering, cultural geography, wildlife ecology, ethnography, interpretation, material and object conservation, landscape maintenance and management).
- Research and develop “as-built” period plans documenting the various periods of landscape development and changes in historic appearance during a particular period of ownership, occupancy, or development.
- Prepare existing condition plans, sections, photographs, maps, video, or any combination of techniques. All features that contribute to the landscape’s historic character should be recorded.
- Assess the integrity of the landscape, and place it within the historic context of similar landscapes.
- Consider nomination of Allerton Garden to the State and National Register of Historic Places.

Prepared by: B. Robeson, July 2009

\(^6\) Further information is available at www.nps.gov/history/HPS/pad/PlngStds/index.htm (Accessed 7-25-09).