

North Kohala CDP Access Focus Group

Meeting Notes

May 12, 2008 (KHS AG room) 4:30pm

Participants: Ted Matsuda, Harry Ching, Marline Ching, Patsy Ching, Marcia Carvalho, Nancine Lloyd, Ralph Galan, Kelly Vitorino, Mike Isaacs, Mark Grandoni, Joe Carvalho.

We are proposing the changes in the CDP Public Draft in

Bold Red Dotted Underline to insert

Strikethrough to delete

We are also planning to meet with various land owners that are interested in discussing access over their property.

PUBLIC ACCESS (revised May 12, 2008, 7:00pm)

ISSUE/PROBLEM STATEMENT

Public access to coastal areas and resources and to mountain areas and resources was identified by the Kohala community early in the CDP process as one of the top priorities for planning and action.

In pre-contact Hawai'i, there were, of course, no "private lands" with fences and "keep out" signs. People were free to move about the land - to swim and fish in the near shore waters, and to gather resources in the mountains. During the 19th and 20th century ranching and sugar plantation eras, the lands of Kohala and other Hawai'i Island regions were still largely free of fences or other barriers to access.

Since the closing of the Kohala Plantation in 1975, however, and the ensuing sale of the Plantation's lands in the 1980's to various buyers, many of whom were/are "off-shore" companies, fences, locked gates and "No Trespassing" signs have become common. There are now only a few roads and paths in Kohala that provides public access to the shore or to the mountains.

"Chapter 34" of the Hawaii County Code, enacted in 1996, established general requirements for public accesses to be provided by "all subdivisions and multiple-family developments." Planning Department "Rule 21," approved by the Mayor in January 2005, provides further details regarding uses, activities, permits, and enforcement relating to public accesses. In practice, however, no new mauka or makai public accesses have been opened for public use in North Kohala as a result of Chapter 34. Although new easements for public access have been required of sub dividers via Chapter 34, a number of obstacles have prevented their implementation.

In the longer term, the Kohala community envisions a continuous coastal ("lateral") path stretching at least from Pololū to Kawaihae, together with

numerous mauka-makai accesses from Akoni Pule Highway to the shore, and from the Highway up into the mountains and a lateral mountain trail from Pololū to Taga Pond.

Thus, the Goal and Strategies for public access in Kohala may be summarized as follows:

GOAL : PROVIDE FOR ADEQUATE DRIVEABLE (MAUKA-MAKAI) PUBLIC ACCESS TO COASTAL (INCLUDING ALONG THE TOPS OF CLIFFS) AND MOUNTAIN AREAS IN NORTH KOHALA, INCLUDING PROVISION OF:

- A continuous coastal path from Pololū to Kawaihae Harbor,
- Adequate mauka-makai access easements between the coastal path and Akoni Pule Highway,
 - Adequate mauka-makai access easements from Akoni Pule Highway and the Kohala Mountain Road into the Kohala mountains, and
 - A lateral mountain road (Wylie Blvd) from Pololū to Taga Pond.

Strategies that need to be implemented to achieve this Goal include the following:

Strategy 2.1: Provide for substantive community input to the County Planning Department and the County Council in order to finalize and accept priority shoreline access easements.

Strategy 2.2: Assign responsibility and authority for the construction, management and maintenance of public access easements, paths, and roads that fall under the County's responsibility to a specific County Department, together with adequate funding.

Strategy 2.3: Revise and improve Chapter 34 of the Hawai'i County Code, dealing with "PUBLIC ACCESS," and Planning Department "Rule 21 - Relating to Public Access: Usage;" in specific ways recommended by the Access Focus Group.
(require to provide mauka-makai vehicular access; and require continuous coastal lateral access)

Strategy 2.4: Encourage increased cooperation and coordination among federal, state, and county agencies and departments regarding public access to coastal and mauka lands.

Strategy 2.5: Implement a long-range plan for achieving adequate public access to both coastal areas and to the mountains, as part of the North Kohala Community Development Plan.

Strategy 2.6: Encourage increased cooperation and coordination between the community and private land owners regarding public access to coastal and mauka lands.

The "Action Steps" for each of these Strategies are provided in the next few pages.

Strategy 2.1: Provide for substantive community input to the County Planning Department and the County Council in order to finalize and accept priority shoreline access easements.

Background

Community spokespersons have been adamant in their desire to amend and implement specific public accesses that have been agreed to by land owners or court-ordered, but for various reasons were never finalized. These priority accesses and related action elements are:

PRIORITY NO. 1 - Kapanai'a TO 'Ainakea

- o **Work with all land owners, to make a continuous coastal lateral access across the subdivision westward to 'Ainakea and then secure County Council acceptance of an amended public lateral coastline access and mauka-makai vehicular access (subsequently community managed) identified by the Planning Department at Kauhola Lighthouse Road (Surety Kohala Corp.) Subdivisions 7776 and 7776-A...**
- o Establish a mauka-makai **community managed** vehicular access on an existing roadway extending seaward from 'Ainakea subdivision across private land when the owners come in for County approvals.
- o Survey if/as necessary and improve vehicular rights of way in favor of the State of Hawaii for access to Kapanai'a and Hapu'u Bays as established in 1982 Civil No. 5464 Kohala Corp vs. Ahoi.
- o Survey and record with the Bureau of Conveyances the shoreline trail "from and including Hapu'u Bay to and including Kapanai'a Bay" as granted in the same Civil Case.

PRIORITY NO. 2 - 'Upolu TO MÄHUKONA

- o Legal public access along the entire Old Coast Guard Road to the parking area north of the Nā Ala Hele Honoipu-Puakea Trail needs to be secured. This will require both State and County efforts.
- o Secure County Council acceptance of public lateral coastline trail and amended mauka-makai access as identified by the Planning Department at Kukuipahu (Parker Ranch) in Subdivisions 7520, 7521 and 7526 as well as ensure continuous lateral shoreline access mauka of 5-6-01:50 where it is interrupted. Amend the current pedestrian mauka-makai access to a vehicular access. The exact location of the Kukuipahu lateral access still needs to be defined, and the "Declaration of Easements for Public Access" requires the County to build, maintain and insure the shoreline trail. No provisions are made for opening the existing trail to the public until the County assumes responsibility for it.
- o Public access as required in the Māhukona (Kohala Preserve Conservation Trust) Change of Zone Ordinance 93-109, SMA 341 and Chalon International Corp. Shoreline Access Plan 1992 has been stalled for many years. Court ordered public vehicular access has been blocked and pedestrian access limited since 1990 while awaiting development of the Māhukona Resort and subdivision. Condition P of the Change of Zone Ordinance requires recordation of an agreement for set-aside of public shoreline access areas within the State Land Use Conservation District prior to the issuance of the final plan approval for the hotel or final subdivision, whichever is first. Seventeen years after open public access was blocked the owner has yet to apply for a Conservation District Use Permit to implement the coastal access.

PRIORITY NO. 3 - 'Ainakea TO UPOLU

- o Honopueo (Watkins-Sunderland) Subdivision 2000-200, SMA 417, Special Use Permit 1117. By permit the public access must be surveyed and opened when the owners apply for a Certificate of Occupancy. No County Council action is needed.
- o Pāhoa Beach (Mohammadi) Subdivision 7640, Revision 2. This subdivision is subject to enforcement by the County for violations of its subdivision conditions. Original permit was for pedestrian mauka-makai access to Pāhoa Beach with no lateral access. The community seeks vehicular access from Hāwi Road to the rim of Pāhoa gulch with parking and pedestrian trail to Pāhoa Beach. Also lateral public access should be established along the shoreline of parcels TMK 5-5-08: 67 and 5-5-08:60.
- o Puŷuepa-Upolu (Surety Kohala Corp) Subdivision 7589 contains a lateral vehicular access along the coast, lateral pedestrian trail access, vehicular access to Mo'okini Heiau and pedestrian mauka-makai access from the old

Railroad bed/government road to Mo'okini Heiau and Kamehameha's Birthsite. Access here was also subject to Civil No. [5466](#), Kohala Corporation vs. Kamoe.

PRIORITY NO. 4 - POLOLÜ TO KAPANAI'A

- o Encourage the County to pursue shoreline lateral trail access from the Pololü lookout to Keokea Park and from Keokea to Kapanai'a by working with Kamehameha Schools and private land owners.

The overall Action Steps that will be needed to implement these priority accesses are summarized as follows:

- **WHO will take the lead** - the Access Committee of the North Kohala CDP Action Council, which is the community-based entity that will be organized to work with the County toward the implementation of the North Kohala CDP.
- **WHAT needs to be done** - Work with the Planning Department and the County Council to amend and finalize access easements for the 4 priority coastal areas: Kapanai'a to 'Äinakea, 'Upolu to Mähukona, 'Äinakea to 'Upolu, and Pololü to Kapanai'a.

Form a North Kohala community-based entity that will have an important, ongoing role in the planning, construction, management, and maintenance of public access ways.

The County needs to provide liability coverage for access easements and the community volunteers, and funds for maintenance of easements.

Encourage the County to require land owners to keep traditional trails or court-ordered accesses open to public use and/or provide interim public access, while the public waits for compliance with access requirements contained in permits.

- **WHEN will actions take place** - The Access Focus group will take immediate steps to ensure that these priority accesses are implemented by the Planning Department and the County Council. The Access Committee of the North Kohala Action Council will continue this work after the CDP has been approved.
- **HOW MUCH will it cost** - There will be costs involved for the construction of access ways, both paved and unpaved, as well as costs for liability insurance and for County staff to manage public accesses. Dollar figures for these costs are not available at this time. However, these costs will

be modest when weighed against the public benefit that these coastal accesses will provide.

- **Intended Outcome** - Once these coastal accesses have been implemented, there will be a continuous coastal trail stretching from Pololū to Māhukona.

Strategy 2.2: Assign responsibility and authority for the construction, management and maintenance of public access easements, paths, and roads that fall under the County's responsibility to a specific County Department, together with adequate funding.

Background

Through the application of Chapter 34, the County's Public Access Ordinance, the County Planning Department has brokered several agreements ("Declarations of Easements for Public Access") with land owners that obligate the County to accept, construct, maintain, and insure public access ways through private land, prior to the accesses becoming effective. Yet, no agency, department or staff has been designated to oversee County-initiated public access ways. The County needs to take action to set up the means to administer these access ways.

Action Steps

- **WHO will take the lead** - The Mayor's Office and the Planning Department
- **WHAT needs to be done** - The Mayor's Office needs to identify the appropriate County Department that will be given the authority and responsibility to construct, manage and maintain public access easements, paths, and roads.
 - Alternatively, the County could designate a "Public Access Planner" that will work with community groups to identify, create, manage, and maintain important lateral and mauka-makai accesses. Initially, the Public Access Planner could be retained as a "contract hire." **The "public access planner" should not be a part of the Parks and Recreation or the Public works departments.**
 - **It should be a separate department off the Mayor's office.**

~~Eventually, this position should be a permanent, civil service position within either the Department of Public Works or the Department of Parks and Recreation.~~
- **WHEN will actions take place** - Funding for and contracting with a Public Access Planner could be initiated as part of the Planning Department's FY 08/09 activities.
- **HOW MUCH will it cost** - The initial cost of contracting with a Public Access Planner will depend on the qualifications of the contractor and whether this

will be a part-time or full time activity. Costs may be in the range of \$50,000 to \$100,000 for the first year. Once a specific County Department has been given the responsibility to plan, design, construct, manage, and maintain public accesses, annual costs will be more substantial.

- **Intended Outcome** - The County will be committed to the management of public accesses to coastal and mountain areas.

Strategy 2.3: Revise and improve Chapter 34 of the Hawai'i County Code, dealing with "PUBLIC ACCESS," and Planning Department "Rule 21 - Relating to Public Access: Usage;" in specific ways recommended by the Access Focus Group.

Recommended amendments include (but are not limited to):

Chapter 34 should be amended to include coastal lateral shoreline public access requirement and require mauka-makai vehicular access.

Provide public access within 1 year of initial building permit being issued and before final.

• adding lateral shoreline public access requirements

• requiring subdividers to initially construct the access(es), if new construction is necessary

• eliminating the loophole that allows subdividing less than 6 lots

• requiring the subdivider to identify traditionally used trails/accesses on the property and perform an early assessment of whether the public accesses should utilize existing paths. This "early assessment" would involve consultation with person(s) knowledgeable of existing accesses in the subject area and Nā Ala Hele, if any historic trails are present on the property. This should be done prior to submitting a preliminary subdivision map.

Currently Chapter 34 is Partially Being Implemented

The Planning Department is not a land management agency. It is doing its part in implementing Chapter 34 at the permit processing stage. What is missing is a County agency assigned to complete the implementation process. The mayor needs to assign trail and access responsibilities to a specific agency. That agency would be fully responsible to:

request acceptance of the accesses from the County Council;

include trail and access program needs in their budget requests;

construct (if necessary with community), and manage the liability, maintenance and control duties and responsibilities;

and develop and manage a volunteer-based, adopt-a-trail program.

Background

"Chapter 34" of the Hawaii County Code, enacted in 1996, established general requirements for public accesses to be provided by "all subdivisions and multiple-family developments" of six lots/units or more. Planning Department "Rule 21," approved by the Mayor in January 2005, provided further details regarding uses, activities, permits, and enforcement relating to public accesses. In reality, however, no new mauka or makai public accesses have been opened for public use in North Kohala as a result of Chapter 34. Although new easements for public access have been required of sub dividers via Chapter 34, a number of obstacles still exist to their implementation.

Action Steps

- **WHO will take the lead** - The North Kohala Public Access Focus Group will make specific recommendations and convey them to North Kohala's County Council representative and to the Planning Director.
- **WHAT needs to be done** - A "Public Access Committee" of the community-based North Kohala CDP "Action Council" needs to work with North Kohala's County Council representative and the Planning Department to revise and improve Chapter 34 and Rule 21, as well as related Planning Department rules and procedures affecting public access.
- **WHEN will actions take place** - This collaborative community/County process can move forward as part of the CDP process, and continue after the CDP has been enacted.
- **HOW MUCH will it cost** - Costs to the County will be mainly the cost of Planning Department staff and County Counsel staff time. These costs should be modest.
- **Intended Outcome** - Chapter 34 and Rule 21 will be amended, clarified, and improved. County decisions and requirements regarding public access will be more consistent as a result.

Strategy 2.4: Encourage increased cooperation and coordination among federal, state, and county agencies and departments regarding public access to coastal and mauka lands.

Background

Coordination and cooperation among the several levels of government that have some form of jurisdiction over coastal lands, mauka lands, and public access is haphazard at best. A recent example: the Kohala Mountain Watershed Partnership

(KMWP), whose members are county, state, and federal agencies and private land owners, recently completed their "watershed management plan" and published a draft Environmental Assessment that discloses the probable environmental impacts of that plan. However, the staff of the KMWP was not aware of and did not consult with the North Kohala Public Access Focus Group regarding mauka public access into the Kohala Mountains as part of their planning process. The members of this Focus Group recently contacted the KMWP staff and requested a meeting to discuss coordination process and needs.

Action Steps

- **WHO will take the lead** - The North Kohala Public Access Focus Group, and later the Public Access Committee of the North Kohala CDP Action Council, will take the lead for Kohala in coordinating with other county, state, and federal departments and agencies regarding public access. Community-based groups from other districts should take on a similar role.
- **WHAT needs to be done** - The Public Access Group, with the assistance of the Public Access Planner, should contact all other county, state, and federal departments and agencies that have some jurisdiction over coastal and mountain public accesses. A data base documenting these agencies and their current and planned public access projects, programs, and activities should then be developed.
- **WHEN will actions take place** - This coordination process can begin during the development of the CDP, and should continue and expand after the North Kohala CDP has been enacted.
- **HOW MUCH will it cost** - Costs to the County will primarily be the costs of the Public Access Planner in relation to this program.
- **Intended Outcome** - Communication, coordination, and cooperation on public access issues among federal, state, and county agencies will be clarified and improved.

Strategy 2.5: Implement a long-range plan for achieving adequate public access to both coastal areas and to the mountains, as part of the North Kohala Community Development Plan.

Background

The Public Access Focus Group met a number of times to develop a long-range plan for public accesses, in both graphic and narrative form. This long-range access plan will take many years to implement, as many of these proposed accesses will require extensive discussions and negotiations with land owners and/or establishment of access easements as a condition of a subdivision action. This

long-range map and list of desired accesses is provided here so that the full range of the Focus Group's vision for public access can be understood.

Action Steps

- **WHO will take the lead** - The Public Access Committee of the North Kohala CDP Action Council.
- **WHAT needs to be done** - With the assistance of the Public Access Planner, the Public Access Committee will develop an inventory and database of existing and traditional public access ways identified by the community to be used as a planning tool in County actions that affect public access. The Public Access Committee will then work with the County, with other public agencies, and with Kohala land owners to implement specific accesses for controlled public use.
- **WHEN will actions take place** - The Public Access Committee can be formed and begin its work soon after the North Kohala CDP Action Council has been established.
- **HOW MUCH will it cost** - The principal cost to the County will be the cost for some of the Public Access Planner's time.
- **Intended Outcome** - Existing accesses will be preserved and protected, traditional accesses will be identified and restored to use, and new accesses will be negotiated and opened for controlled public use.

See map on following page.

Strategy 2.6: Encourage increased cooperation and coordination between the community and private land owners regarding public access to coastal and mauka lands.

Background

Coordination and cooperation between the community and landowners and recommendations of the Planning Director regarding public and community access along the coast and in the mountain and valleys. Encourage community groups and clubs to step up for stewardship of managed accesses.

Action Steps

- **WHO will take the lead - The North Kohala Public Access Focus Group, and later the Public Access Committee of the North Kohala CDP Action Council, will take the lead for Kohala in coordinating with the community and landowners regarding public access.**

- WHAT needs to be done - The Public Access Group, with the assistance of the Public Access Planner, should contact all community groups and landowners to discuss stewardship and management of public accesses.
- WHEN will actions take place - This coordination process can begin during the development of the CDP, and should continue and expand after the North Kohala CDP has been enacted.
- HOW MUCH will it cost - Costs to the County will primarily be the costs of the Public Access Planner in relation to this program.
- Intended Outcome - Communication, coordination, and cooperation on public access issues between community and private landowners will be clarified and improved.

Figure 8: North Kohala Public Access Map

Long-Range Access Plan Elements

It should be emphasized that all the trails and roads named here are/**were** traditional or have been in existence for many years. The only exceptions are newly created easements identified by the county as public access as permit requirements in subdivisions or development. The trails and accesses listed here are based on community desires and recommendations and are not necessarily the access ways that have been brokered by the County Planning Department in their permit requirements.

- **Coastline trail and drivable mauka-makai access** -- A trail that starts at the beach in Pololū Valley and follows the coastline of the district to Kawaihae. The trail would be for pedestrian use except for the already existing vehicular lateral roads. The trail should follow the Ala Loa where it can be identified or traditional fishing trails. When the trail is identified by metes and bounds from the Certified Shoreline, it must include provisions to move the trail inland when the Certified Shoreline is moved inland because of erosion or landslide. This trail that follows the coast is reached from the Akoni Pule Highway by already existing vehicular mauka-makai roads that may or may not be presently open to the public. A minimum of two parking spaces should be available at the junctions with the lateral trail. These mauka-makai roads have been identified as:
 - o Pololū Lookout - an existing paved state highway to a paved parking area. This links the trail to and from the bottom of Pololu Valley to the coastline trail along the cliff tops toward Akoakoa Point. The Pololū Valley trail is administered by Na Ala Hele, the state trail system.
 - o Niuli'i - Waikama road - an existing unpaved road from Akoni Pule Highway at Niuli'i to the top of Waikama Gulch. Pedestrian access on an existing trail along the western rim of the gulch to the coastal trail.
 - o Keokea County Park Road - an existing paved government road leading through Niuli'i to Keokea Park
 - o Kapanai'a Bay road -- an existing court-ordered vehicle access on an unpaved road to Kapanai'a and Hapu'u bays (Civil HA-5464 Kohala Corporation v. Ahoi). The roadway is currently owned by the State.
 - o Kauhola Lighthouse Road - an existing ~~government road prior to 1872 and a~~ federal right of way since 1912. This access is the subject of Subdivisions 7776 & 7776-A. The existing vehicle

access from the lighthouse east to the cliff top at Ohau
(swimming pool).

- o 'Ainakea Road - an existing paved county road through 'Ainakea subdivision then extending into a gated private unpaved road makai in 'Ainakea ahupua'a. No current access into the private road.
- o Union Market Road - a vehicular public access on an unpaved, private road required by SMA Use Permit No. 417 and Special Permit No. 1117, Sunderland & Watkins for a retreat on agricultural land. Access to ocean is restricted to half mile walking distance.
- o Häwi Road - a vehicular public access extending from the makai end of Häwi Road, a county paved road, to the rim of Kumakua Gulch and pedestrian access to Pāhoa Beach. Access listed with Subdivision 7640, Mohammadi, shows pedestrian access from Häwi Road to Pāhoa Beach with no lateral trail. The owners are under enforcement proceedings with the county. Vehicular access needs to be extended to shoreline.
- o Höyēa Road - a vehicular public access extending from the makai end of Höyēa Road, a paved county road, to the ocean via a private unpaved road. Current road is gated at the end with no ocean access.
- o 'Upolu Road - a paved government road to the airport on the coast. Vehicle access on an unpaved road eastward then makai to the ocean in Kealahewa ahupua'a as a condition of Subdivision 2000-72.
- o 'Upolu Road - a paved government road to the airport on the coast. Vehicle access on an unpaved road westward to the road between the ahupua'a of 'Upolu and Honoipu (Old Coast Guard Road) including the Mookini Heiau and Kamehameha birth place. A portion of this road is granted as vehicular lateral access by Subdivision 2000-209.
- o Old Coast Guard Road - a paved federal right of way to the former Coast Guard Loran station, now and OHA center. (Parker Ranch owns) A parking lot exists at the shoreline. Vehicular access travels northeast along the old railroad right of way, a government highway prior to 1892 mauka of the OHA center (Parker Ranch owns). Pedestrian access travels makai to the coastal road at both Mo'okini Heiau and Kamehameha Birthsite on existing trails in Pu'uepa ahupua'a granted by Subdivision 2000-209.
- o Kukuipahu (Parker Ranch subdivision) - vehicular access on an existing paved road in the Subdivisions 7520, 7521 and 7526 or alongside the property. Vehicular access for the public was not provided in the above subdivisions, but should have been.
- o Kapa'a Park Road - an existing paved county road to the county park.

- o Kapa'anui (Māhukona resort) - The resort's public access plan shows vehicular access on private subdivision roads in the resort development as a condition of SMA 341, Change of Zone ordinance 93 109 and Surety Kohala Public Access Plan. The existing public access is court-ordered over the existing jeep road on the railroad bed. Road is gated on Māhukona end.
- o Māhukona - vehicular access on the paved government road to the harbor and Māhukona County Park. Also vehicular access to shoreline within the Māhukona Resort as a condition of SMA 341, Change of Zone ordinance 93 109 and Surety Kohala Public Access Plan. The existing public access is court-ordered lateral vehicular access over the existing jeep road on the railroad bed which is gated.
- o Lapakahi State Historical Park - existing vehicular access on a paved road within the park to the parking lot, then pedestrian access to the shore.
- o Lamaloa ahupua'a - (just south of Lapakahi Park) vehicular access on an existing jeep road over state land, TMK 5-7-01:22 and a private parcel, TMK 5-7-01:11.
- o Pao'o ahupua'a (Secrets) - vehicular access on an existing jeep road over state land, TMK 5-7-01:21 and a private parcel TMK 5-7-01:5.
- o Kaiholena ahupua'a - ~~two~~ one vehicular access through Subdivision 7543 as provided by SMA 92 (Pohaku Kea LLC).
- o Makeanehu ahupua'a - vehicular access on an existing jeep road over State land, TMK 5-8-01:12.
- o Kehena 2 ahupua'a - vehicular access on an existing jeep road over State land, to Keawenui and Keaweula Bays. Access to Keaweula Bay is blocked by current landowner.
- o Puanui, Puaiki and Ki'ioikalani ahupua'a - vehicular access on an existing jeep road over State land and Ponoholo Ranch, Ltd. Land TMK 5-9-03 to Māla'e Point. Also over Kamehameha Schools land TMK 5-8-01:8 to Wawaionu Bay.
- o Kalala ahupua'a - vehicular access on an existing jeep road over State land, TMK 5-9-03:1 to Big Bay.
- o Makiloa ahupua'a - vehicular access on an existing jeep road over State land, TMK 5-9-03:1.
- o Kahua 1 and 2 - vehicular access on an existing jeep road over private land, TMK 5-9-01:8 to Waiaka'ilio Bay.
- o Kohala Waterfront subdivision - vehicular mauka-makai access over subdivision or alternative road to a lateral shoreline trail. The County Planning Commission approved SMA 212 in 1996, an amendment to the first SMA permit granted in 1984. There is presently public parking just below Akoni Pule Highway with pedestrian access to the shoreline trail. The shoreline trail has been cleared and only partially built to date.

- o Māhukona to Kawaihae road - the remnants of this road still exist and are used for vehicular traffic from immediately south of Lapakahi State Historical Park to Keawenui Bay and also from Wawaionu Bay to the district boundary.
- **Mountain trail and drivable mauka-makai access** - The North Kohala Access Focus Group recommends a ~~trail~~ road (Wylie Blvd) that traverses the northern upper slopes of the district just below the forest reserve from Pololū Valley to the Kohala Mountain Road at the old Pu'u O Kumau Reservoir (Taga Pond) to Kehena and beyond be re-established for public use. This ~~trail~~ road was a well-used field road for the sugar plantation, was unrestricted and widely used to access hunting, gathering and recreation areas prior to the 1980s. Portions of it ~~were~~ are a government highway. It is reached by vehicular mauka-makai access from Akoni Pule Highway by the following existing public and private roads:
 - o Makanikahio - vehicular access on an existing jeep road in Makanikahio and Waiyāpuka ahupua'a.
 - o Makapala - vehicular access on a paved government road leading to an existing jeep road.
 - o A'amakao (above Kapanai'a Bay) - vehicular access on an existing jeep road between Puwaiola and Waiohia gulches. This existing limited public access was granted in Civil HA-5464 Kohala Corporation v. Ahoi. The key system for card holding members of the Kohala community is administered by Hui Mamalahoa and Surety Kohala Corp.
 - o Halelua Government Road (between Hālawā and Hala'ula) - vehicular access in Halelua ahupua'a on the main government road from Kohala to Waimea prior to 1892. The road exists through private land, TMK 5-3-04:1. The road extends beyond the proposed mountain trail to meet the Kohala Mountain road south of Lāhikiola cinder cones.
 - o 'Ainakea ahupua'a -- vehicular access on an existing jeep road on private land.
- o **Kapaau Road – Vehicular access on the paved county Kapaau Road extending mauka on an existing unpaved road over private land to the Wylie Blvd then to Puu o Kumau.**
 - o Kynnersley Road - vehicular access on the paved county Kynnersley Road extending mauka on an existing unpaved road over private land to Pu'uokumau Reservoir (Taga Pond) in the Pūehuehu ahupua'a.

- o Pu'uokumau Reservoir (Taga Pond) - vehicular access on existing unpaved road to a parking area at the mountain trailhead. On private land TMKs 5-7-04:13, 5-4-01:18 and 5-4-01:4.
- **Kohala Windward Valleys** -- Trails were built almost 100 years ago to service the Kohala Ditch Water System and the Kehena Ditch System. Some of them were built over traditional trails. The coastal and valley trails have been maintained by the Kohala Ditch Company as well as other valley land owners, frequent Kohala-based users and the public. The Kehena trail system was maintained by land owners, Kohala-based users and the public. Some sections of the trails were damaged by the earthquake of 2006. Traditional users of the trails should not be hampered in their access to the valleys.
 - o Pololū Lookout - vehicular access on a state highway to the paved lookout at the trailhead to Pololū Valley. The valley trail system would start at the bottom of the valley.
 - o Mākanikahio - vehicular access on an existing unpaved road, also listed as mauka-makai access for the mountain trail to the mauka trailhead of the valley trail system.
 - o The Kehena Ditch Trail on private land will be accessed by parking available at the trailhead in Kaupalaoa off of the Kohala Mountain Road.
- **Old Government roads and the Railroad Right of Way** - Government roads that existed prior to 1892 unless abandoned formally remain within the public domain. The Māhukona to Niuli'i railroad was built under charter from the Government of Hawaii. It carried public passengers, mail, government officials and ~~is classified~~ was known as a government road. It is desirable to identify these public rights of way for trails to important areas for fishing, hunting, gathering as well as cultural, spiritual and recreational uses.
 - o Railroad Right of Way - portions of the railroad right of way are being used now for public vehicular traffic or named in court cases requiring vehicular public access, such as Mahukona and Kapa'anui, access to pedestrian trails at Mo'okini and Kamehameha's Birth site. The remaining railroad right of way should become a trail.

Roads mauka of Akoni Pule Highway on the leeward coast - many of the old government roads have been named as mauka-makai and lateral vehicular access for the coastal trail. It is expected that these roadways mauka of the highway maintain their status as government roads and be preserved as public trails. One example is the Pu'u Hue to Honoipu government road (Pineapple Road) which is an existing vehicular roadway.