



March 7, 2019

Erika Stein-Espaniola, Superintendent
Kalaupapa National Historical Par
PO Box 2222
Kalaupapa, Hawai`i 96742

sent via email and US mail

Dear Superintendent Stein-Espaniola,

Thank you for the opportunity to comment on the General Management Plan/ Environmental Assessment for Kalaupapa National Historical Park. Kalaupapa is one of the most precious and significant communities in all Hawai`i -- and deserves a strong plan to carry its history into the future.

This letter was approved by the Board of Directors of Ka 'Ohana O Kalaupapa at our most recent meeting.

Ka 'Ohana O Kalaupapa has been among the most active participants in the Kalaupapa GMP process since 2009 when the first round of public hearings was held. Our 'Ohana is made up of Kalaupapa residents, family members and descendants, longtime friends and anyone who supports the Kalaupapa community and this important history. We care very deeply about the future of Kalaupapa, how the land and cultural resources will be preserved and how this history is presented, especially the legacy of those who were separated from their families and sent away to Kalaupapa because of government policies regarding leprosy. We believe NPS shares these goals.

We are extremely disappointed that after 10 years of public meetings, conference calls and discussions that prompted dozens of insightful letters and testimonies with ideas for the future of Kalaupapa, this GMP provides little vision of what Kalaupapa will look like 10 or 20 years from now.

It is less of a plan that it is a wish list with few details along with inaccurate descriptions of the state of some of the current resources. There are no priorities, no cost estimates associated with the various projects, no timelines and no real goals.

This GMP will be the document that will assure Kalaupapa residents that their legacies will live on in a way that they desire. However, looking at this GMP/EA, it is impossible to get a sense of how the community will be presented or how their history will be told.

We are confused and concerned why the NPS suddenly decided to change the environmental review process. This GMP has been presented as an Environmental Impact Statement since 2009. It was not until November, 8, 2018, when we learned that Kalaupapa National Historical Park had abandoned that process for a GMP Environmental Assessment.

Background

Ka 'Ohana O Kalaupapa was established as a nonprofit organization in 2003 at the request of the Kalaupapa residents (patients) to serve as a voice for the community, to make sure the wishes of the residents would guide the near-term and long-term future plans.

Since then, the 'Ohana has developed educational and outreach programs including our "Restoration of Family Ties" program that has helped more than 800 descendants reconnect to their Kalaupapa ancestors by using a digital library created by the 'Ohana that now includes information on more than 7,300 people who were sent to Kalaupapa because of government policies regarding leprosy (now also called Hansen's disease).

We have produced traveling exhibits that have been displayed on every island (and at Kalaupapa), conducted public presentations for numerous communities around Hawaii (including Kalaupapa), developed educational materials and created a leadership training program to develop 'Ohana leaders to carry on our mission into the future.

Our biggest project is The Kalaupapa Memorial which will list the names of everyone forcibly isolated at Kalaupapa. In 2009, Congress passed The Kalaupapa Memorial Act that was signed into law by President Barack Obama which authorized Ka 'Ohana O Kalaupapa to establish the Memorial within the boundaries of Kalaupapa National Historical Park. The 'Ohana hopes to dedicate the Memorial in October, 2020.

Ka 'Ohana O Kalaupapa influenced Kalaupapa National Historical Park's decision to develop a General Management Plan 14 years ago. The 'Ohana held a meeting with KNHP on July 8, 2005, where we learned there was no GMP in place – and no immediate plans to develop one.

The 'Ohana decided to produce our own plan because we felt it imperative that a blueprint for the future be created when as many residents as possible were living so their voices would be part of this plan. One of the residents named it our "Vision Plan." The 'Ohana held a two-day workshop gathering comments and ideas for the future at Kalaupapa on October 14-15, 2005. This workshop included Kalaupapa residents, family members and friends along with Office of Hawaiian Affairs Chairwoman Colette Machado; The Most Rev. Larry Silva, Bishop of Honolulu; The Rev. Charles Buck, Hawaii Conference Minister for the United Church of Christ, and Elder Holbrook DuPont of the Church of Jesus Christ of the Latter-day Saints. Some KHNP staffers also attended, but the then-Superintendent did not.

We learned in 2006 that NPS decided to prepare a GMP for Kalaupapa National Historical Park. Ka 'Ohana O Kalaupapa was pleased that NPS saw the importance of developing such a

plan – and looked forward to working closely with NPS on this document that would take Kalaupapa into the future.

Position Paper and Comment Letters

The first round of public scoping hearings conducted by NPS involved seeking input from the public on what should be included in a management plan for Kalaupapa. The meetings were attended by 400 people who provided a great deal of feedback. There was a real sense of excitement about crafting a plan that would preserve the irreplaceable cultural resources of Kalaupapa and present the history in a way that would inspire future generations.

Ka 'Ohana O Kalaupapa held meetings at Kalaupapa and with leaders on Oahu and Maui that resulted in a 28-page Position Paper of the vision of the 'Ohana for the future of Kalaupapa. The final draft of this paper was read paragraph-by-paragraph at a community meeting at Kalaupapa in April, 2009. The Position Paper was submitted to NPS on July 13, 2009. It was endorsed by the Board of Trustees of the Office of Hawaiian Affairs; then-US Representative (now Senator) Mazie Hirono; Danny Mateo, then the Maui County Council Member who held the Molokai residency seat and then-State Representative Mele Carroll whose district included Kalaupapa.

The first follow-up newsletter from NPS was issued in the fall of 2009 was a 14-page broadsheet that included many of these ideas such as preserving certain houses at Kalaupapa so future visitors could see how the people of Kalaupapa lived and quotations from individuals that showed their passion and knowledge of Kalaupapa. Three follow-up public hearings were held in December, 2009.

At that time, the NPS provided a timeline with the completion of the GMP as an Environmental Impact Statement to take place by the end of 2012.

The next round of public outreach was in June, 2011. The format was changed from group participation to a series of individual "stations" that each described a different component of the plan. People visited the various stations, but did not benefit from hearing insights or recommendations from others who attended.

After that, no public hearings were held until May, 2015, when a 400-page Draft GMP/EIS was released. Although stations were set up at the sites, participants mostly requested a meeting-type format where everyone could listen to the comments of others.

After both the 2011 and 2015 hearings, Ka 'Ohana O Kalaupapa submitted comment letters with substantive comments. These comment letters and our Position Paper are attached.

Ka 'Ohana O Kalaupapa has also been an active participant in the Section 106 conference calls regarding the GMP.

National Park Service Management Policies regarding Environmental Impact Statements being prepared for General Management Plans

As noted earlier, the Kalaupapa GMP has been presented as an Environmental Impact

Statement (EIS) since 2009 until suddenly everyone learned in November, 2018, that NPS had abandoned that process for a GMP Environmental Assessment (EA).

Except for an exemption from NPS's Regional Director, such an action appears to be in conflict with NPS's own GMP policies as set forth in the following excerpts from Chapter 2 (Section 2.3.1.7) of NPS's Management Policies (2006) Manual:

"The analysis of alternatives will meet the program standards for NPS implementation of the National Environmental Policy Act and related legislation, including the National Historic Preservation Act. In most cases, an environmental impact statement (EIS) will be prepared for general management plans. In a few cases, the regional director, in consultation with the NPS Environmental Quality Division, through the Associate Director for Natural Resources Stewardship and Science, may approve an exception to this general rule if:

- Completion of scoping demonstrates that there is no public controversy concerning potential environmental effects, and
- The initial analysis of alternatives clearly indicates there is no potential for significant impact by any alternative."

NPS has provided no evidence that it has secured an exemption from the Regional Director to change the Kalaupapa GMP from its EIS format. And it appears unlikely that approving an exemption could be justified when analyzing the current circumstances surrounding the Kalaupapa GMP and the criteria referenced above that need to be met in order to have an exemption approved.

Judging from the numerous comment letters from the public on the GMP/EIS that can be found on the NPS's PEPC website, there appears to be unresolved controversies concerning potential environmental effects. And, at this point, neither of the two proposed alternatives clearly indicate there is no potential for significant impact (*emphasis added*).

The 'Ohana recommends that 1) NPS provide a clear explanation for the apparent contradiction with policy regarding moving the Kalaupapa from a GMP/EIS format to an EA format, and also clarify whether or not NPS has received an exemption or is planning to apply for one.

Comments on the Draft GMP/EIS were due in June, 2015. This was the last communication the public had from the NPS about the GMP/EIS until November 8, 2018 when the NPS suddenly informed a number of people via email that a "final" GMP, now an Environmental Assessment, would be issued a week later with a 30-day comment period.

According to the NPS email of November 8, 2018, an EIS was no longer necessary due to the removal of specific guidance for the historic buildings in Kalaupapa settlement which the NPS said "would be addressed separately through ongoing operations."

This major reversal in the GMP format is a significant change in the overall planning and review processes associated with the GMP, and seems to be contradictory to NPS's own policies on GMP formats as noted above.

The 'Ohana recommends that NPS provide an explanation as to what specific guidance for the buildings in the Kalaupapa Settlement existed prior to NPS changing the GMP format, and clarify why the removal of this guidance caused NPS to change the GMP format. The 'Ohana also recommends that NPS clarify how the "complexities" associated with the use and management of the buildings caused NPS to change to an EA format for the GMP. If there were complexities, those complexities have not gone away. And if there are complexities involved with the GMP, then the proper format for the GMP according to NPS's own policies is an EIS.

It appears that the NPS is trying to segment this process of removing all the historic structures from the GMP so they no longer have to complete a more thorough EIS. Environmental Assessments generally look at individual projects while Environmental Impact Statements consider the effects on larger landscapes or developments. Kalaupapa National Historical Park is comprised of 8,665 acres and three ahupua`a. The area known as the Kalaupapa peninsula covers a landscape.

How do we even know what the future of Kalaupapa will look like if we don't know which of these historic properties will be preserved and used? Who determines the fate of each of these buildings?

With input from the Kalaupapa community, Ka 'Ohana O Kalaupapa developed a short list of residential houses that we would like to see preserved as they were when the people of Kalaupapa were living in them or using them for a specific purpose (i.e. art studio) so family members and visitors can see how people lived at Kalaupapa.

In the GMP/ EIS issued in 2015, there were references to preserving some houses and other places at Kalaupapa that indicated the NPS planned on doing this, but we can find nothing like that in the GMP/EA.

In the future when the people of Kalaupapa are no longer living, being able to get a feel of how they lived and learning about them in their own homes will help keep their spirits alive and enable those who never knew them personally to feel a closeness to them.

The GMP/EA lacks priorities, cost estimates and timelines

From the NPS Management Policies (2006): Section 2.3.1 General Management Planning:

"...The purpose of each general management plan, which will begin with the development of a foundation statement for the park unit, will be to ensure that the park has a clearly defined direction for resource preservation and visitor use.... The management plans will be based on full and proper use of scientific and scholarly information related to existing and potential resource conditions, visitor experiences, environmental impacts and relative costs of alternative costs of action."

Ka 'Ohana O Kalaupapa does not see a "clearly defined direction for resource preservation and visitor use" in this GMP/EA. There are no priorities of resources that need restoration and preservation, no cost estimates of any of the planned projects and no timeline for undertaking these projects.

In the 2015 GMP/EIS, this statement appeared on Page 30: “Kalaupapa NHP needs guidance for a fundamental change in park management that will occur in the near future.”

We do not see that guidance in the 2018 GMP/EA.

Cost estimates were available in the 2015 GMP/EIS as well as descriptions of staffing and other helpful statistics in graphs and charts. Why were these important categories not updated and included in the GMP/EA?

The ‘Ohana recommends that the NPS include appropriate cost figures to implement and sustain the GMP, list priorities and costs associated with current operations and provide clarification on the substantial deferred maintenance backlog.

The entire GMP process has been difficult to track from one draft to the next.

This GMP process over the past 10 years has not been done in a consistent way. The formats changed for every draft – and there is no way to track the changes unless one completely reads the current draft, flags pages or highlights sections and then searches for the same issue in previous drafts to see if any changes have been made.

Most legislation or other plans that begin as a draft and move through the public process are tracked by the Ramseyer method of showing the original statement alongside the revised language with deletions and additions noted.

Key reasons that the public stops participating in the process are frustration at accessing information and time involved.

We have other concerns related to the cultural and historic properties in this GMP/EA:

Upkeep of the cemeteries and roads; maintaining viewsheds

Throughout the GMP/EA, the NPS says it will “continue” to keep up the historic cemeteries and historic road to Kalawao and that it is committed to protecting the scenic views. That is a goal Ka ‘Ohana O Kalaupapa strongly supports except that some of these resources have fallen into poor condition and, presently, are not being properly maintained.

While the cemeteries outside Kalaupapa town were freshly mowed as of March 2, 2019, this is not always the case. There have been times recently when the cemeteries have been so overgrown it has been difficult to find certain graves. The cemeteries in Makanalua and Kalawao also need upkeep.

Feral animals continue to be a problem. Pig damage is often evident, especially in damaging cultural resources in Kalawao. Less than three years ago, pigs broke through a wooden gate at historic Siloama Church, the first church of Kalawao, and dug up about a fourth of the church yard. Deer often leave their droppings on the graves in Kalawao.

The most used road in the ahupua`a of Kalawao – known as Damien Road – has sharply deteriorated in the past three years and now is in terrible condition. Certain awe-inspiring

views are no longer there because invasive species, including rapidly proliferating trees, have taken over and wiped out these views.

We do not know if this lack of maintenance is due to not enough staff, not enough equipment or not enough funding. If these precious resources are not being properly cared for now, how can the NPS guarantee us that they will restore and maintain them in the future?

Ka 'Ohana O Kalaupapa believes that preserving and protecting these resources must be a priority for the near- and long-term planning of Kalaupapa National Historical Park and that a fully equipped grounds maintenance staff be on board.

Kalawao, especially, needs help.

Visitors

The enabling legislation that created Kalaupapa National Historical Park limits visitors to no more than 100 per day. This was a request of the people of Kalaupapa. The NPS is committed to following this limit in the near-future, but when there is no longer a living community, there are plans to lift the cap with no limit assigned. The NPS says it will limit the number of visitors per day through "new mechanisms" that are not identified.

How will impacts to cultural and historic resources be limited when there is no estimate of the daily number of visitors?

A more detailed plan is needed to provide future managers with guidance on this important issue.

In addition, there is a very misleading statement on Page 48 of the GMP/EA that claims that there were 76,000 visitors to Kalaupapa National Historical Park in 2017. The statement should have pointed out that this number is mostly made up of visitors who stop by the part of Kalaupapa National Historical Park that is located at the Kalaupapa Overlook in Kalae, along the cliffs of upper Molokai, 2,000 feet above the Kalaupapa peninsula. The number of visitors to the Kalaupapa peninsula average about 25 per day according to NPS's latest State of the Park 2015 report.

Studies Needed to Implement the GMP

On Page 30 of the GMP/EA, the NPS states that it needs to complete 36 studies and plans before the preferred alternative of this GMP can be implemented. In the GMP/EIS released in 2015, there were a total of 13 plans and studies that the NPS said needed to be done to implement the plan. In the 3 ½ years since the GMP/EIS was released, apparently none of the 13 studies and plans identified have been completed because they are all still on the 2018 list of plans and studies that must be done – along with 23 additional studies and plans that would be required before the GMP/EA can be implemented.

If none of the 13 studies identified in 2015 have been completed in 3 ½ years, how long will it take to complete the 36 studies and plans needed to implement the GMP? (see attached comparative list of documents needed to implement the 2015 and 2018 GMPs).

Again, there are no priorities or costs associated with these studies. How would a new manager to Kalaupapa National Historical Park even know where to start?

The Kalaupapa Memorial

It must be noted that the US Congress and President Barack Obama gave Ka 'Ohana O Kalaupapa the authority to establish The Kalaupapa Memorial. For the past 10 years, the GMP has never properly described the Memorial. In this GMP/EA, the NPS describes the Memorial as if it is an NPS project when, in fact, the NPS did not support the Memorial when Ka 'Ohana O Kalaupapa asked the NPS to partner with us on it in 2003. This is the reason why the 'Ohana went to Congress where we found strong support from the Hawai'i Delegation and lawmakers in both the House and Senate who passed The Kalaupapa Memorial Act.

Ka 'Ohana O Kalaupapa also found strong support for the Memorial from the Board of Land and Natural Resources – the Department of Land and Natural Resources owns the land where the Memorial will be located and granted Ka 'Ohana O Kalaupapa a 65-year lease for the site. The Land Board also approved the Environmental Assessment prepared by Ka 'Ohana O Kalaupapa which was required by Chapter 43 of Hawaii Revised Statutes.

On November 15, 2018, the NPS replied to comments made by the State Historic Preservation Division on June 8, 2015. In this letter, the NPS claims that the “GMP covers federal actions and thus is concerned with compliance with applicable federal law” and that it is “not subject to state and local laws,” such as Chapter 343 or Chapter 6-E, which are environmental compliance processes under Hawai'i law.

In Appendix B of the GMP/EIS issued in 2015, the NPS lists “Pertinent Laws, Policies and Procedures” that they must follow which includes “Hawaii Environmental Impact Statement Law, Chapter 343, Hawaii Revised Statutes.”

Also in the previous GMP/EIS, NPS notes that Chapter 6E of the Hawaii Revised Statutes (regarding the protection of historic properties) applies if NPS was going to reach desired conditions for its cultural resources.

In the current Draft GMP/EA, NPS has taken the position that State Environmental Laws (Chapter 343 and 6E) do not apply to NPS. It would be helpful to know the opinion of the Department of Health's Office of Environmental Quality Control on NPS's position.

Ka 'Ohana O Kalaupapa is raising all the money for the Memorial and completing the planning and design processes. The NPS states that it has no money to help with the Memorial. Still, Ka 'Ohana O Kalaupapa hopes to collaborate with NPS on certain aspects of the Memorial.

For accuracy's sake, any language regarding The Kalaupapa Memorial in the GMP must be approved by Ka 'Ohana O Kalaupapa in advance of publication.

Homesteading

The ahupua`a of Kalaupapa – about 1,300 acres – is owned by the Department of Hawaiian Homelands. The NPS has a lease with DHHL that expires in 2041. We do not know the future

of this land – we know there are DHHL beneficiaries on the wait list, including some descendants of Kalaupapa, who would like to homestead at Kalaupapa.

Homesteading is only barely addressed in the GMP with the NPS stating that it has no authority on permitting homesteading. NPS might not have the authority, but it has a responsibility to discuss this important matter and reach a decision with Kalaupapa residents, beneficiaries (especially those on the wait list), topside Molokai residents and DHHL staff.

Can homesteading and Kalaupapa National Historical Park co-exist in the future?

Staffing

The 2015 GMP/EIS provided a list of current staff and job positions – along with estimated staff for four alternative plans. This information is lacking in the 2018 GMP/EA.

Descriptions of staff and job positions should be provided for both the near-term of Kalaupapa when there is still a living community and in the long-term when there is no longer a living community.

We have great respect for the current groundskeeping maintenance crew at Kalaupapa National Historical Park, but it appears there is currently not enough staff to properly maintain the cultural and historic properties including cemeteries, viewsheds and the road in Kalawao. How will that be addressed in both the near-term and long-term to restore these important resources and protect them?

What is the current situation with “tele-working?” Which employees are allowed to “tele-work” – work from their homes – and how many hours per week are they allowed to do this?

What is the role of the NPS in emergencies for the near-term and long-term: natural emergencies such as hurricane warnings or flash foods, medical emergencies when a visitor or employee has an accident or other emergencies such as fires? In the future, when the Department of Health no longer provides medical staff for the residents, will the NPS have trained Emergency Medical Technicians on staff – or will they form partnerships with other agencies so these needs can be met?

Adverse Effects/No Adverse Effects

The NPS states on Page 55 that implementation of either of the alternatives proposed in the GMP/EA would “continue to have cumulative adverse effects” on cultural landscapes and historic properties, but the very next sentence states that the Section 106 determination of effect would be “*no adverse effect* on the cultural landscapes and historic structures....” (emphasis added by the NPS).

These are conflicting statements.

In Conclusion

At this time, Ka 'Ohana O Kalaupapa cannot support a Finding of No Significant Impact for this GMP/EA. In addition, we support the time extension requested by the Maui County Cultural Resources Commission in its comment letter dated February 14, 2019.

These comments are not easy to put on the record. Ka 'Ohana O Kalaupapa supports Kalaupapa National Historical Park and we have many friends who work for the NPS and who do the best they can at their jobs and often go out of their way to help the residents and to be part of the community. However, this GMP/EA leaves too many questions and does not assure us that Kalaupapa will be preserved and maintained into the future as the residents of Kalaupapa want their history and lives to be remembered.

Recommendations

Ka 'Ohana O Kalaupapa wants to see Kalaupapa and Kalawao preserved as the precious jewels that they are with the NPS truly collaborating with others who have an equal interest at Kalaupapa. While considering our above comments to make this GMP a stronger document, the 'Ohana also recommends that the NPS immediately take the following three steps in an attempt to bring more people together with the mutual goal of developing a General Management Plan supported by as many as possible.

Extend the comment period for 90 days, through June 7, 2019.

On Page 80 of the GMP/EA, the NPS states that "A GMP is not needed to decide, for instance, that it is appropriate to protect endangered species, control nonnative invasive species, protect archaeological sites, conserve artifacts, or provide for universal access – laws and policies already require the NPS to fulfill these mandates. The NPS would continue to implement these requirements with or without a new GMP."

There seems to be good reason to extend the comment period further. The GMP/EA was issued at the start of the holiday season, which is never a good time to seek public input or ask people to read a 200-page government document. The federal shutdown lasted from December 22, 2018, through January 25, 2019, and federal websites were unavailable for days after the government reopened.

Ka 'Ohana O Kalaupapa supports those who have requested a longer comment period to adequately gather information, conduct public outreach and have thoughtful discussions.

Resume Section 106 conference calls on the GMP.

The Section 106 calls on the GMP/EIS ended at least two years ago (possibly longer). On November 8, 2018, the NPS scheduled a Section 106 call for Tuesday, November 20 from 4-6 p.m. -- this was the Tuesday before Thanksgiving.

Obviously, there was poor attendance. Only four members of the public phoned in, but the call lasted the full two hours with some questions going unanswered.

The calls should be resumed.

Support a public panel made up of parties who have a stake at Kalaupapa and have been involved in the GMP public process – and form true partnerships with organizations that can help the NPS with manpower, funding and ideas.

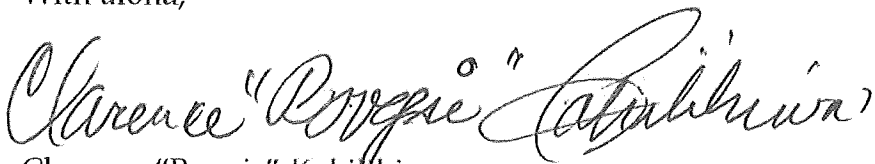
The planning team that created the GMP/EIS was mostly employees of the NPS, even including some Park Service employees from the Mainland. Ka 'Ohana O Kalaupapa appreciated the NPS including four longtime Kalaupapa residents, but we believe the process would have had a better outcome by including descendants of Kalaupapa and others long involved in the community who have local knowledge.

The NPS needs help at Kalaupapa, but it needs to acknowledge that others have valuable knowledge, experience, insights and contributions to offer. Any partnership must be a two-way street with both parties listening to one another and offering assistance where they can.

We hope you will consider these comments in the spirit in which they are intended – to preserve one of the most sacred and inspiring places in Hawaii, in the United States and in the world, and to create a GMP that will truly assist decision makers in leading Kalaupapa National Historical Park into the future as the community intended.

If you have any questions or comments, please contact our Executive Director, Valerie Monson, at vmonson@kalaupapaohana.org.

With aloha,

A handwritten signature in black ink that reads "Clarence 'Boogie' Kahikhiwa". The signature is written in a cursive, flowing style.

Clarence "Boogie" Kahikhiwa
President

cc: State Historic Preservation Division