

# Commercial Tours CD 2024, Hanalei NWR

## Comments and Responses

1. **Comment:** It was my hope that the Viewpoint would not only help to educate but also help alleviate the need for curious people to gain more respect for the work the kalo farmers are doing to cultivate an important cultural food and maintain critical habitat for endangered species and not have to drive into the HWR on 'Ōhiki Road.

**Agency Response:** *The CD has been revised. The Service does not intend to expand commercial activities along 'Ōhiki Road. Cultural interpretation and tours have been provided at the Haraguchi Rice Mill since 1994.*

2. **Comment:** The CD indicates that an environmental assessment was completed for the Hanalei Valley Viewpoint with a Finding of No Significant Impact. This finding, however, should not be used and extended to justify increased commercial activity within the valley.

**Agency Response:** *The Service does not intend to expand commercial activities in the refuge wetland management units.*

3. **Comment:** What is being proposed in the CD only encourages more traffic into HWF, thus increasing potential threats within the refuge and causes more inconvenience to those who must use the only road to enter and exit the valley or do their work.

**Agency Response:** *The Refuge is sensitive to the traffic issues along 'Ōhiki Road. It is a rural fragile road and difficult to maintain. The Refuge does not support an increase in traffic along this road. The CD has been revised to clarify mitigation for existing uses.*

4. **Comment:** I strongly oppose moving forward with the issuance of use permits for Commercial Tours and recommend that consultation and input from key stakeholders (County of Kauai, State of Hawai'i, other property owners, Hanalei-to-Hā'ena Community Association, Hanalei Roads Committee, etc.) be completed prior to the release of a draft CD.

**Agency Response:** *The public was provided opportunity to review and comment through local news media, postings at local libraries, emails to adjacent landowners, state natural resource agencies, and current permit holders. The State and Native Hawaiian Organizations were provided notice of availability to review the draft CD. The Hanalei-to-Hā'ena Community Association provided input. We appreciate the feedback we got on the draft and have made clarifying revisions to the document based on input received.*

5. **Comment:** Since the Ducks Unlimited Pond was installed decades ago rarely have I seen it consistently maintained and functional. Unfortunately, most of the time it is filled with invasive weeds/grasses. Perhaps it would be better to focus on a maintenance/management strategy for the pond before pursuing commercialization of the (refuge).

**Agency Response:** *We were attempting to consider the existing uses that are occurring along 'Ōhiki Rd. (which is not a refuge-owned road) in the draft document, rather than to allow any commercial uses within the closed areas of the refuge. In consideration of public comments, we have clarified in the final document that the Ducks Unlimited ponds will not be available for commercial tours.*

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6. **Comment:** It was our understanding, as well as that of other groups in the Hanalei community, that with the creation of the new Hanalei Viewpoint, the Refuge would not sponsor or facilitate any expansion of tourism - commercial or otherwise - in the valley, on 'Ōhiki Road, or anywhere that would negatively impact the farmers or local residents in-or near the Refuge.

**Agency Response:** *The Service does not intend to expand commercial activities or tourism along 'Ōhiki Road. The CD has been revised to clarify that expansion of commercial tours would be permitted at the Viewpoint only. The Haraguchi Rice Mill is the only approved commercial venue that uses 'Ōhiki Rd. to access the tour held at the historic Haraguchi Rice Mill site, as this use was approved in a previous determination back in 2004 .*

7. **Comment:** 'Ōhiki Road is a narrow rural road, often muddy and rutted, and it is already difficult for workers to get to and from the lo'i. There is no capacity for additional tourists, regardless of whether they arrive on busses or in individual vehicles, on 'Ōhiki Road; and there is no legitimate justification for any Refuge activities that would encourage or enable more tourists, who would further impede the ingress and egress of workers and residents.

**Agency Response:** *The Service does not intend to expand commercial activities along 'Ōhiki Road and is sensitive to the increase in usage that has already occurred over the last decade or more. The Service is already working and will continue to work with farmers to enforce speed limits, take of federally listed wildlife by cars on the road, and illegal parking within the closed portions of the refuge. Signage prohibiting parking outside the designated parking lots for the Ducks Unlimited ponds and 'Ōkolehao trailhead will facilitate enforcement efforts to improve congestion.*

8. **Comment:** The determinations for Photography and Wildlife Observation and for Commercial Tours are particularly concerning. These are definitely NOT priority public uses. The CDs do not even attempt to justify the monetizing of public lands whose purpose is protection and restoration of native wetland birds. The Commercial Tours Determination opens the Refuge to the routinized, often exploitive and inadequate interpretive experience of competition commercial tourism.

**Agency Response:** *Commercial Tours are not a priority public use for the Refuge System. The service is required to complete a compatibility determination when a use is proposed. The Refuge notes that there is ongoing commercial activity occurring along 'Ōhiki Rd. Initial special use permits for commercial use at the Viewpoint will be limited to one year to ensure compliance with all stipulations. The Service may use fee monies returned to the station to help offset administrative costs to achieve the refuge mission.*

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9. **Comment:** It appears that two private mini-buses will be bringing 30 visitors to walk around the wetlands. The CD does not address how many tours would occur daily. Most notably, the CD does not address impacts except to consider bird nesting schedules. There is no assessment, present or forecasted, of traffic impacts to neighbors and taro farmers on the 'Ōhiki Rd. The increasingly popular Okolehao Hike alone is filling the limited FWS parking on the road.

**Agency Response:** *Tours of the Haraguchi Rice Mill are limited to 15-passenger vans. 30+passenger vehicles are limited to the Viewpoint. The Refuge will work with the County of Kaua'i to add or maintain signage for 'Ōhiki Road, potentially including advising against stopping or prohibit parking along the road and enhanced trail head and parking signs at 'Ōkolehao trail.*

10. **Comment:** The CD certainly does not adequately discuss the process for selecting tour operators who may be an FWS conservation partner, concessionaire, or private party.

**Agency Response:** *Special Use Permit applications are reviewed on a case-by-case basis in the order received until capacity is reached. New applicants will only be allowed to have one-time use or repeated uses over a period not to exceed one (1) year to ensure compliance with all stipulations. Permittees are required to maintain a Certificate of Insurance and all licenses, permits, and approvals required by State and local government to engage in the commercial activities they are proposing or pursuing. Permittees are required to provide all tour participants with specific information about the Refuge System, the Refuge, natural and cultural resources of concern, rules and regulations, and any hazardous conditions. The Refuge will provide permittees with training materials and other information needed to comply with these requirements.*