



# Foundation Document

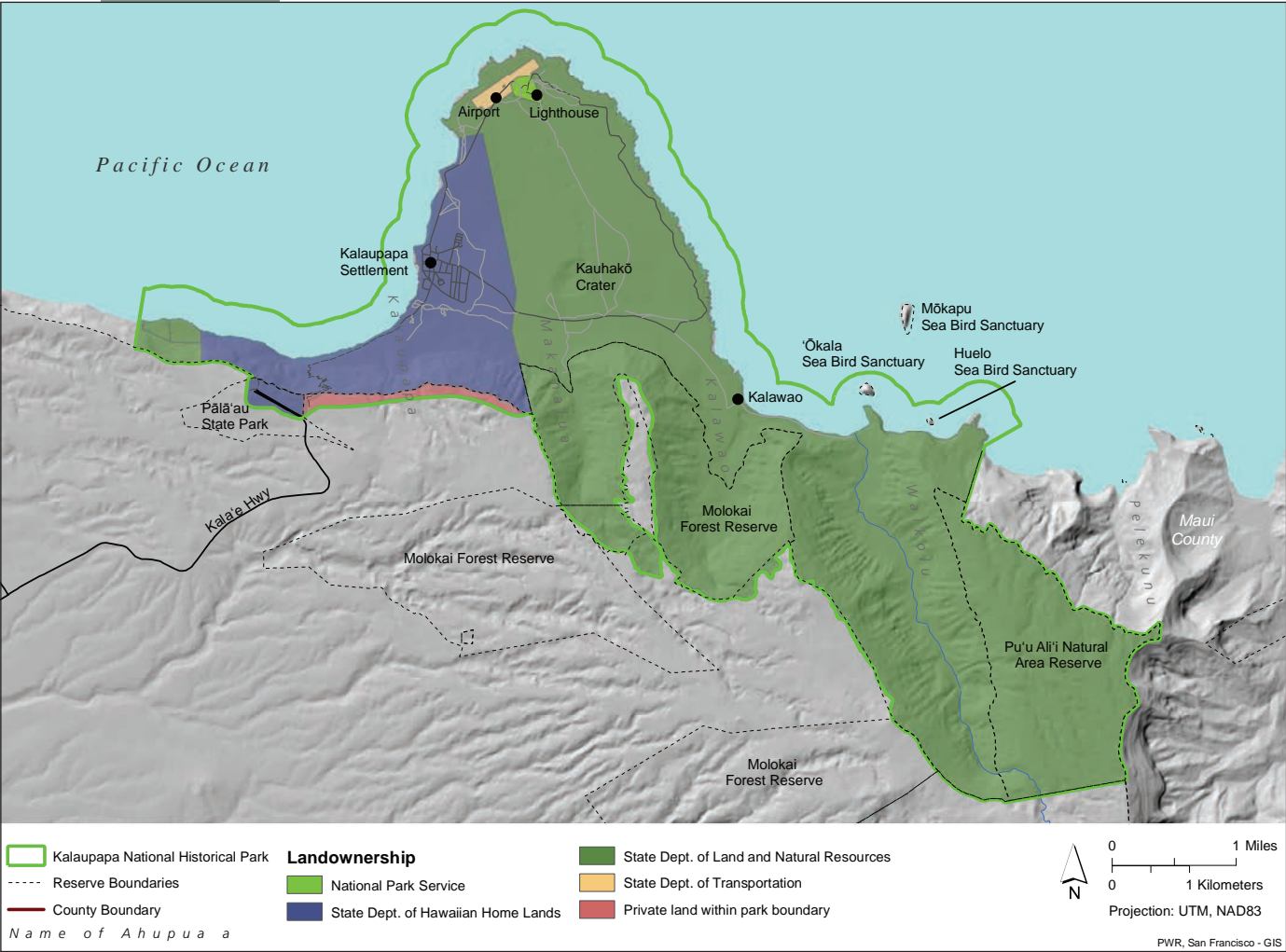
## Kalaupapa National Historical Park

Hawai'i

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## Mission of the National Park Service

The National Park Service (NPS) preserves unimpaired the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of this and future generations. The National Park Service cooperates with partners to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and the world.

The NPS core values are a framework in which the National Park Service accomplishes its mission. They express the manner in which, both individually and collectively, the National Park Service pursues its mission. The NPS core values are:

- **Shared stewardship:** We share a commitment to resource stewardship with the global preservation community.
- **Excellence:** We strive continually to learn and improve so that we may achieve the highest ideals of public service.
- **Integrity:** We deal honestly and fairly with the public and one another.
- **Tradition:** We are proud of it; we learn from it; we are not bound by it.
- **Respect:** We embrace each other's differences so that we may enrich the well-being of everyone.

The National Park Service is a bureau within the Department of the Interior. While numerous national park system units were created prior to 1916, it was not until August 25, 1916, that President Woodrow Wilson signed the National Park Service Organic Act formally establishing the National Park Service.

The national park system continues to grow and comprises more than 400 park units covering more than 84 million acres in every state, the District of Columbia, American Samoa, Guam, Puerto Rico, and the Virgin Islands. These units include, but are not limited to, national parks, monuments, battlefields, military parks, historical parks, historic sites, lakeshores, seashores, recreation areas, scenic rivers and trails, and the White House. The variety and diversity of park units throughout the nation require a strong commitment to resource stewardship and management to ensure both the protection and enjoyment of these resources for future generations.



*The arrowhead was authorized as the official National Park Service emblem by the Secretary of the Interior on July 20, 1951. The sequoia tree and bison represent vegetation and wildlife, the mountains and water represent scenic and recreational values, and the arrowhead represents historical and archeological values.*

## Introduction

Every unit of the national park system will have a foundational document to provide basic guidance for planning and management decisions—a foundation for planning and management. The core components of a foundation document include a brief description of the park as well as the park’s purpose, significance, fundamental resources and values, other important resources and values, and interpretive themes. The foundation document also includes special mandates and administrative commitments, an assessment of planning and data needs that identifies planning issues, planning products to be developed, and the associated studies and data required for park planning. Along with the core components, the assessment provides a focus for park planning activities and establishes a baseline from which planning documents are developed.

A primary benefit of developing a foundation document is the opportunity to integrate and coordinate all kinds and levels of planning from a single, shared understanding of what is most important about the park. The process of developing a foundation document begins with gathering and integrating information about the park. Next, this information is refined and focused to determine what the most important attributes of the park are. The process of preparing a foundation document aids park managers, staff, and the public in identifying and clearly stating in one document the essential information that is necessary for park management to consider when determining future planning efforts, outlining key planning issues, and protecting resources and values that are integral to park purpose and identity.

While not included in this document, a park atlas is also part of a foundation project. The atlas is a series of maps compiled from available geographic information system (GIS) data on natural and cultural resources, visitor use patterns, facilities, and other topics. It serves as a GIS-based support tool for planning and park operations. The atlas is published as a (hard copy) paper product and as geospatial data for use in a web mapping environment. The park atlas for Kalaupapa National Historical Park can be accessed online at: <http://insideparkatlas.nps.gov/>.



## Part 1: Core Components

The core components of a foundation document include a brief description of the park, park purpose, significance statements, fundamental resources and values, other important resources and values, and interpretive themes. These components are core because they typically do not change over time. Core components are expected to be used in future planning and management efforts.

### Brief Description of the Park

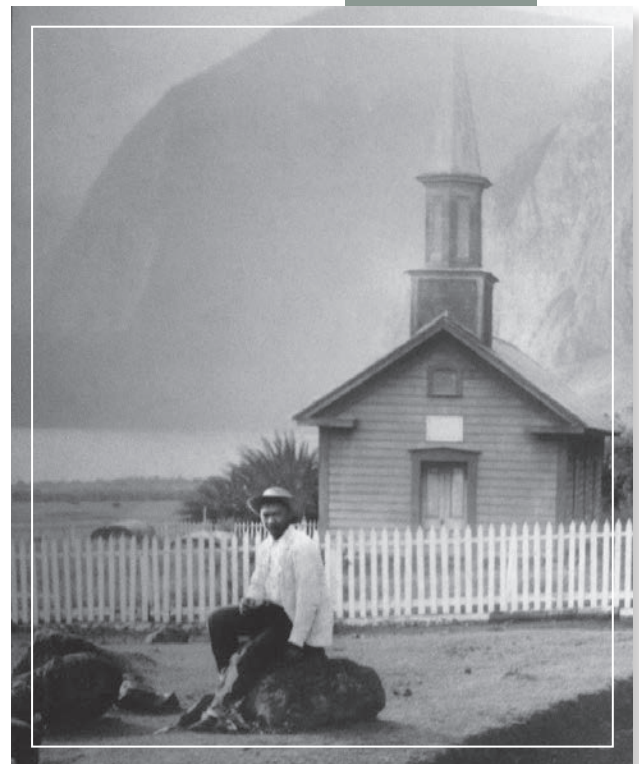
Kalaupapa National Historical Park was established by Congress on December 22, 1980. Kalaupapa National Historical Park was established to preserve and interpret Kalaupapa for the education and inspiration of present and future generations and to research, preserve, and maintain the historic structures, traditional Hawaiian sites, cultural values, natural features, and character of the community. It was also established to provide a well-maintained community in which the Hansen's disease (leprosy)<sup>1</sup> patients were guaranteed that they could remain at Kalaupapa for as long as they wished, to protect the patients' current lifestyle and privacy, and to provide limited visitation by the general public.

Kalaupapa National Historical Park is midway along the north coast of the island of Molokai in the state of Hawai'i. The park includes 8,720 acres of land and 2,060 acres of submerged and offshore lands (within the one-quarter mile offshore area). Kalaupapa National Historical Park includes a flat peninsula on the north shore and three deeply carved valleys whose steep slopes rise to include the rim of the sea cliffs. The offshore area encompasses the islets of Huelo and 'Okala.

The primary story being told at Kalaupapa is the forced isolation from 1866 until 1969 of people from Hawai'i afflicted with Hansen's disease to the remote northern Kalaupapa peninsula. The establishment of an isolation settlement for people afflicted with Hansen's disease at Kalaupapa tore apart Hawaiian society as the kingdom, and, subsequently, the Territory of Hawai'i tried to control a feared disease. The impacts of broken connections with the 'āina (land) and of family members "lost" to Kalaupapa are still felt in Hawai'i today.

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1. In the 1940s, patient advocates at the U.S. National Leprosarium in Carville, Louisiana, led a push to replace the term "leprosy" with "Hansen's disease," named for the Norwegian physician who discovered the leprosy bacterium in 1873. Although the term "leprosy" was the common usage during most of Kalaupapa's history, this document mainly uses the term "Hansen's disease" to disassociate the disease from its historical stigma and to distinguish the disease from the person/people who contracted it. This document does not use the term "leper," recognizing its dehumanizing connotations.







Kalaupapa National Historical Park contains the physical setting for these stories. Within its boundaries are the historic Hansen's disease settlements of Kalaupapa and Kalawao. The community of Kalaupapa, on the leeward side of Kalaupapa peninsula, is home to fewer than 14 surviving Hansen's disease patients, whose memories and experiences are cherished values. In Kalawao are the churches of Siloama, established in 1866, and Saint Philomena, associated with the work of Saint Damien.

Before Kalaupapa became a settlement for individuals with Hansen's disease, it was home to Native Hawaiians, who lived within what are now the boundaries of Kalaupapa National Historical Park for more than 900 years. Structural remnants built and used over centuries are everywhere within the park and illustrate how early Native Hawaiians lived their daily lives in this majestic place. Today, Kalaupapa's archeological resources make the park one of the richest and most valuable archeological complexes in Hawai'i. Hawaiian culture continues to be a core value of Kalaupapa's living community.

Areas of the historic, terrestrial, and marine environments of Kalaupapa National Historical Park are specially designated under national and state programs designed to recognize and protect treasured resources. Kalaupapa National Historical Park is designated as a national historic landmark. A portion of Kalaupapa National Historical Park is within the North Shore Cliffs National Natural Landmark. The North Shore Cliffs are the highest sea cliffs in the world and rise to heights of more than 3,000 feet above the ocean. State designations include the Natural Area Reserve, Forest Reserve, and Hawai'i State Seabird Sanctuary.

Access to Kalaupapa is severely limited. There are no roads to the peninsula from "topside" Molokai. Land access is via a steep trail on the pali (sea cliff) that is approximately three miles long with 26 switchbacks. Air taxi service by commuter class aircraft provides the main access to Kalaupapa. A barge also brings cargo from Honolulu to Kalaupapa once a year.

Kalaupapa National Historical Park differs significantly from most other national parks in that almost all of the area within the boundaries is in nonfederal ownership yet managed by the National Park Service. Most of the land and facilities within the national historical park boundaries are owned by State of Hawai'i departments including Land and Natural Resources, Transportation, and Hawaiian Home Lands. A small private holding is at the top of the cliffs. The National Park Service owns only 23 acres, land that includes the Molokai Light Station.





## Park Purpose

The purpose statement identifies the specific reason(s) for establishment of a particular park. The purpose statement for Kalaupapa National Historical Park was drafted through a careful analysis of its enabling legislation and the legislative history that influenced its development. The park was established when the enabling legislation adopted by Congress was signed into law on December 22, 1980 (see appendix A for enabling legislation and legislative acts). The purpose statement lays the foundation for understanding what is most important about the park.

*KALAUPAPA NATIONAL HISTORICAL PARK honors the mo‘olelo (story) of the isolated Hansen’s disease (leprosy) community by preserving and interpreting its site and values. The historical park also tells the story of the rich Hawaiian culture and traditions at Kalaupapa that go back at least 900 years.*



## Park Significance

Significance statements express why a park's resources and values are important enough to merit designation as a unit of the national park system. These statements are linked to the purpose of Kalaupapa National Historical Park, and are supported by data, research, and consensus. Statements of significance describe the distinctive nature of the park and why an area is important within a global, national, regional, and systemwide context. They focus on the most important resources and values that will assist in park planning and management.

The following significance statements were identified for Kalaupapa National Historical Park in the *Kalaupapa National Historical Park Final General Management Plan and Environmental Impact Statement* (2017). (Please note that the sequence of the statements does not reflect the level of significance.)

- Kalaupapa National Historical Park preserves the only intact historic institutional settlement in the United States created for the sole purpose of isolating Hansen's disease (leprosy) patients from the rest of society.
- Kalaupapa National Historical Park's surviving (and deceased) Hansen's disease population, with its material culture, oral histories, and intact cultural landscape, is the only community of its kind in the United States.
- Kalaupapa National Historical Park is the site of renowned work by Saint Damien de Veuster, Saint Marianne Cope, Brother Dutton, Jonathan Napela, and Ambrose Hutchison that has brought widespread attention to the segregation and care of those afflicted with leprosy. Their work inspired many religious leaders, medical professionals, and lay people to serve the Hansen's disease community.
- Kalaupapa National Historical Park's history and landscape document at least 900 years of native Hawaiian life, activities, and cultural heritage prior to 1866 when the first patients arrived. The vast number of archeological resources and variety of site types make the park one of the richest and most valuable archeological complexes in Hawai'i.
- Many who come to Kalaupapa recognize mana or spiritual power that Hawaiian people acknowledge in everything. The 'āina (land), a vital source that links us to spirit, is sacred and connects us to the continued presence of all who lived out their lives on this peninsula. The 'āina's mana (spiritual essence) connects us to each other.
- Kalaupapa National Historical Park presents an exemplary geologic and scenic panorama of towering sea cliffs and a flat leaf-shaped peninsula that was created by a cataclysmic landslide and subsequent volcanic eruption.
- From uka to kai (mountain to sea), Kalaupapa National Historical Park preserves and interprets some of the last remaining examples of fragile Hawaiian Island plant and animal communities found nowhere else in the world.
- Kalaupapa National Historical Park preserves robust and diverse nearshore marine resources due to its geographic remoteness, locally restricted access, and controlled subsistence practices.





## Fundamental Resources and Values

Fundamental resources and values (FRVs) are those features, systems, processes, experiences, stories, scenes, sounds, smells, or other attributes determined to warrant primary consideration during planning and management processes because they are essential to achieving the purpose of the park and maintaining its significance. Fundamental resources and values are closely related to a park's legislative purpose and are more specific than significance statements.

Fundamental resources and values help focus planning and management efforts on what is truly significant about the park. One of the most important responsibilities of NPS managers is to ensure the conservation and public enjoyment of those qualities that are essential (fundamental) to achieving the purpose of the park and maintaining its significance. If fundamental resources and values are allowed to deteriorate, the park purpose and/or significance could be jeopardized.

The following fundamental resources and values were identified for Kalaupapa National Historical Park in the *Kalaupapa National Historical Park Final General Management Plan and Environmental Impact Statement* (2017):

- **Patients.** The patients past and present, represented through their stories, traditions, and memorabilia, are some of the park's most valuable resources. Their presence at Kalaupapa can be experienced through the physical resources that remind us of them and the intangible feelings of their presence and spirit that impart a sense of sacredness to Kalaupapa. The stories of 'ohana who were left behind are equally compelling and offer lessons in forgiveness, love, hope, inspiration, and the perseverance of human spirit.
- **Kama'āina.** In this context, kama'āina were the original native Hawaiian inhabitants of Kalaupapa prior to the Hansen's disease era. The kama'āina story is represented throughout the archeological resources and cultural landscapes by the wahi pana (storied places), wahi kapu (sacred sites), and physical remains and material culture left on the landscape. Due to its physical isolation and the lack of modern development on the peninsula, Kalaupapa is one of the most intact archeological complexes in Hawai'i.
- **Saint Damien, Saint Marianne, Brother Dutton, and Kōkua (Patient Helpers)—Their Work with Hansen's Disease Patients.** The renowned work by Saint Damien de Veuster, Saint Marianne Cope, Brother Dutton, Jonathan Napela, Ambrose Hutchison, and other kōkua to care for those afflicted with Hansen's disease is represented in stories, museum collections, and sites and structures at Kalaupapa (such as St. Philomena Church and cemetery, Bishop Home for Girls, Baldwin Home for Boys, Saint Damien's gravesite and monuments, gravesite of Saint Marianne, and gravesite of Brother Dutton).
- **Stories, Oral Histories, and Mana.** Preserving and sharing the stories of those who lived, died, and are buried at Kalaupapa also preserves their spirits, adding depth and dimension to the greater story to be told. The pervading presence of spirits can be felt and witnessed by visitors and residents alike and are a testament to the special sacredness and mana of Kalaupapa.
- **Native Hawaiian Traditional Cultural Use.** The park supports Native Hawaiian practices for perpetuating traditional knowledge, practicing mālama 'āina—sound resource management principles—and strengthening cultural and spiritual connections to Kalaupapa.





- **Historic Buildings, Structures, Cultural Landscapes, and Archeological Features Associated with the Hansen’s Disease Settlement.** Kalaupapa National Historical Park includes historic buildings, structures, cultural landscapes, and archeological features associated with the Hansen’s disease settlement dating from 1869 to the present, most of which contribute to the Kalaupapa Leprosy Settlement National Historic Landmark.
- **Museum Collections.** The park maintains more than 200,000 museum objects and archival materials that document Kalaupapa’s culture, history, and natural resources.
- **Educational Values.** The park provides opportunities to learn and be inspired by Kalaupapa’s Hawaiian history, the Hansen’s disease patients’ experiences, and Kalaupapa’s range of resources, all of which add to the body of medical, social science, and Hawai‘i’s ecological research. The park provides extensive opportunities for collaborative management efforts and future research opportunities.
- **Geological Features and Unobstructed Viewshed.** The scenic North Shore Cliffs are designated as a national natural landmark. The cliffs provide evidence of the massive landslide that spread underwater for almost 100 miles northward and shaped the island of Molokai. The peninsula, from Kauhakō Crater Lake (one of the deepest volcanically formed lakes in the world) to lava caves, provides evidence of the volcanic eruption that formed Kalaupapa approximately 300,000 years ago. The unobstructed viewshed includes sweeping panoramic views from the steep cliffs to the settlement and the majestic Pacific Ocean beyond.
- **Soundscapes and Dark Night Skies.** The general ambient quiet and the presence of dark night skies maintain Kalaupapa’s sense of place, historic setting, and feeling of isolation.
- **Terrestrial Ecosystem.** Kalaupapa National Historical Park’s montane wet forest, coastal salt spray/strand vegetation, and remnant dryland forest are outstanding elements that form the terrestrial ecosystem. The montane wet forest within the Pu‘u Ali‘i Natural Area Reserve has received the State of Hawai‘i’s highest conservation designation. The coastal spray/strand community along the east coast of the Kalaupapa peninsula is considered the best in all of Hawai‘i by virtue of its lack of development. While the dryland forest on the rim of the Kauhakō Crater is in poor condition, it is considered the last remnant of a low elevation windward dryland forest. Two offshore islets, ‘Ōkala and Huelo, are designated sea bird sanctuaries and also serve as a source of rare plant propagules for restoration activities.





- **Marine Ecosystem.** The park contains a moderate diversity of marine species, some of which are rare in the main Hawaiian Islands, including one of the most active pupping areas for endangered Monk seals (īlio holo i ka uua). The algae (limu), corals (ko‘ako‘a), and other invertebrates are mostly intact with few invasive species. The nearshore fish communities are some of the healthiest in the main Hawaiian Islands with high biomass and a full complement of predators and other trophic groups. The park is one of the most spectacular examples in Hawai‘i of a large underwater volcanic boulder habitat, providing refuge and spawning areas for the abundant reef life.
- **Waikolu Stream.** The perennial Waikolu Stream, eligible for wild and scenic river designation, is one of the few remaining freshwater streams in Hawai‘i supporting all five of the endemic freshwater fish and associated invertebrate species.

## Other Important Resources and Values

Kalaupapa National Historical Park contains other resources and values that are not fundamental to the purpose of the park and may be unrelated to its significance, but are important to consider in planning processes. These are referred to as “other important resources and values” (OIRV). These resources and values have been selected because they are important in the operation and management of the park and warrant special consideration in park planning.

The following other important resources and values have been identified for Kalaupapa National Historical Park:

- **Molokai Light Station Historic District.** The Molokai Light Station Historic District includes the 138-foot lighthouse listed in the National Register of Historic Places, and its period of significance spans the time period between 1908 and 1957. It is significant for its architecture and its association with maritime history, transportation, commerce, and social history.

## Interpretive Themes

Interpretive themes are often described as the key stories or concepts that visitors should understand after visiting a park—they define the most important ideas or concepts communicated to visitors about a park unit. Themes are derived from, and should reflect, park purpose, significance, resources, and values. The set of interpretive themes is complete when it provides the structure necessary for park staff to develop opportunities for visitors to explore and relate to all park significance statements and fundamental and other important resources and values.

Interpretive themes are an organizational tool that reveal and clarify meaning, concepts, contexts, and values represented by park resources. Sound themes are accurate and reflect current scholarship and science. They encourage exploration of the context in which events or natural processes occurred and the effects of those events and processes. Interpretive themes go beyond a mere description of the event or process to foster multiple opportunities to experience and consider the park and its resources. These themes help explain why a park story is relevant to people who may otherwise be unaware of connections they have to an event, time, or place associated with the park.

The following interpretive themes have been identified for Kalaupapa National Historical Park:

- The stories and experiences of Hansen’s disease patients can be powerfully felt and understood at Kalaupapa, where beauty, isolation, and expressions of the patients’ enduring spirit continue to offer refuge and healing from hardship, fear, and discrimination.
- Kalaupapa has an amplified sense of power and sacredness by virtue of the events, circumstances, and peoples who lived and died there. The sheer numbers of people who are buried at Kalaupapa create a sense of kuleana—the cultural responsibility to care for the bones of the ancestors. In turn, the ancestors watch over this ‘āina and protect it.
- The stories of a thriving native Hawaiian community who lived and worked the land for more than 900 years enriches our understanding of the past and establishes a continuing legacy for future generations of Hawaiians.
- Saint Damien, Saint Marianne, Brother Dutton, Jonathan Napela, Ambrose Hutchison, and other kokua’s devotion to improving patient lives continues to inspire us today.
- The architecture, landscapes, and archeology of the peninsula reflect the evolution of the settlement from barely surviving patients with Hansen’s disease at Kalawao to a highly organized medical and social community at Kalaupapa.
- Perceived today as a scenic Hawaiian paradise, Molokai’s dramatic North Shore Cliffs and flat Kalaupapa peninsula are the result of numerous geologic forces still at work throughout the Pacific archipelagos. These geologic features created a natural prison for isolating people with Hansen’s disease.
- Kalaupapa’s plant and animal communities, including the seabird colonies and Loulu (*Pritchardia hillebrandii*) forest, harken back to the precontact condition of the Hawaiian Islands. The rarity of these surviving fragile populations is a reminder of how much has been lost.
- Kalaupapa National Historical Park’s unique and thriving reef environment reminds us of what these areas were once like throughout Hawai‘i, and it serves as a potential source of replenishment for degraded reef systems around the islands.





## Part 2: Dynamic Components

The dynamic components of a foundation document include special mandates and administrative commitments and an assessment of planning and data needs. These components are dynamic because they will change over time. New special mandates can be established and new administrative commitments made. As conditions and trends of fundamental and other important resources and values change over time, the analysis of planning and data needs will need to be revisited and revised, along with key issues. Therefore, this part of the foundation document will be updated accordingly.

### Special Mandates and Administrative Commitments

Many management decisions for a park unit are directed or influenced by special mandates and administrative commitments with other federal agencies, state and local governments, utility companies, partnering organizations, and other entities. Special mandates are requirements specific to a park that must be fulfilled. Mandates can be expressed in enabling legislation, in separate legislation following the establishment of the park, or through a judicial process. They may expand on park purpose or introduce elements unrelated to the purpose of the park. Administrative commitments are, in general, agreements that have been reached through formal, documented processes, often through memorandums of agreement. Examples include easements, rights-of-way, arrangements for emergency service responses, etc. Special mandates and administrative commitments can support, in many cases, a network of partnerships that help fulfill the objectives of the park and facilitate working relationships with other organizations. They are an essential component of managing and planning for Kalaupapa National Historical Park.

For information about the existing special mandates and administrative commitments for Kalaupapa National Historical Park, please see appendix B.

### Assessment of Planning and Data Needs

Once the core components of part 1 of the foundation document have been identified, it is important to gather and evaluate existing information about the park's fundamental and other important resources and values, and develop a full assessment of the park's planning and data needs. The assessment of planning and data needs section presents planning issues, the planning projects that will address these issues, and the associated information requirements for planning, such as resource inventories and data collection, including GIS data.

There are three sections in the assessment of planning and data needs:

1. analysis of fundamental and other important resources and values
2. identification of key issues and associated planning and data needs
3. identification of planning and data needs (including spatial mapping activities or GIS maps)

The analysis of fundamental and other important resources and values and identification of key issues leads up to and supports the identification of planning and data collection needs.

## Analysis of Fundamental Resources and Values

The fundamental resource or value analysis table includes current conditions, potential threats and opportunities, planning and data needs, and selected laws and NPS policies related to management of the identified resource or value. In-depth descriptions and analysis of Kalaupapa National Historical Park's fundamental and other important resources and values are included in the chapter on affected environments in the *Kalaupapa National Historical Park Final General Management Plan and Environmental Impact Statement* (2017) and the *State of the Park Report: Kalaupapa National Historical Park* (2014).

## Identification of Key Issues and Associated Planning and Data Needs

This section considers key issues to be addressed in planning and management and therefore takes a broader view over the primary focus of part 1. A key issue focuses on a question that is important for a park. Key issues often raise questions regarding park purpose and significance and fundamental and other important resources and values. For example, a key issue may pertain to the potential for a fundamental or other important resource or value in a park to be detrimentally affected by discretionary management decisions. A key issue may also address crucial questions that are not directly related to purpose and significance, but which still affect them indirectly. Usually, a key issue is one that a future planning effort or data collection needs to address and requires a decision by NPS managers.

The *Kalaupapa National Historical Park Final General Management Plan and Environmental Impact Statement* (2017) describes key park issues identified by NPS staff, stakeholders, and the general public.

Issue topics include fundamental changes in park purpose, management, and operations; cultural resources; natural resources; interpretation and education; visitor use; transportation, access, and visitor circulation; facilities; climate change; boundary issues; and partnerships. This assessment of planning and data needs prioritizes the list included in the general management plan as well as additional planning and data needs to implement the general management plan.

## Planning and Data Needs

To maintain connection to the core elements of the foundation and the importance of these core foundation elements, the planning and data needs listed here are directly related to protecting fundamental resources and values, park significance, and park purpose, as well as addressing key issues. To successfully undertake a planning effort, information from sources such as inventories, studies, research activities, and analyses may be required to provide adequate knowledge of park resources and visitor information. Such information sources have been identified as data needs. Geospatial mapping tasks and products are included in data needs.

Items considered of the utmost importance were identified as high priority, and other items identified, but not rising to the level of high priority, were listed as either medium- or low-priority needs. These priorities inform park management efforts to secure funding and support for planning projects.

**Criteria and Considerations for Prioritization.** The following criteria were used to evaluate the priority of each planning or data need:

- Promotes park purpose
- Protects fundamental resources and values or prevents resource degradation
- Implements actions in the general management plan
- Addresses multiple interrelated issues
- Emergency or urgency of the issue
- Enhances visitor experience
- Opportunities, including interagency partnership or other assistance



## High Priority Planning Needs

### Building Use and Infrastructure Plan.

*Rationale* — The National Park Service manages about half of the 200 historic buildings in the park, and these are used for housing and park operations. The other buildings are managed by the Hawai'i Department of Health, and the ownership of some buildings is unclear. A transition in the park is underway as the Department of Health phases out its operations at Kalaupapa. The park's general management plan provides guidance for the preservation of historic structures and potential uses of the buildings and infrastructure, but a more detailed plan for transitioning to new uses for the buildings is lacking.

Many buildings do not meet current building codes, and several buildings are in a deteriorated state and have known hazards such as lead paint and asbestos. Empty buildings are more prone to deterioration, especially in a warm, tropical climate. For long-term preservation of the historic structures, it is best to have people in the buildings rather than stagnant storage. The uses, as identified in the general management plan, include housing for visitors and staff, offices or other administrative functions, maintenance, and partner use.

Because of its isolated location, housing is necessary for staff, workers, and volunteers at Kalaupapa. Currently, there is insufficient transient housing in the park for bringing in workers and volunteers. The lack of housing for volunteers is a major challenge for completing resource stewardship projects and ensuring safe continuity of operations. In the long term, housing for visitor overnight use could be provided.

Currently, there is insufficient covered space for housing and storing large machinery used for maintaining the infrastructure in the park. These machines are placed outside and are rusting.

Electricity is currently substandard, and there is no plan, contract, or agreement to manage electrical infrastructure and coordinate with Maui Electric and the Department of Hawaiian Home Lands, the landowner.

The park is very remote and communication (telephone, cell, and internet) services are unreliable. Access to cell towers located elsewhere is limited, and foul weather regularly disrupts connectivity. Guidance for enhancing existing communications and exploring future options is needed because, with more visitors and supporting concessions and/or partners, reliable communications will be increasingly important for the park to function effectively.

*Scope* — The building use and infrastructure plan would provide near- and long-term guidelines for preservation, maintenance, housing, and adaptive reuse of buildings and infrastructure consistent with the general management plan and considering climate change. The plan would address agency and partner responsibilities for maintenance of infrastructure systems and buildings and long-term support needed for these efforts, including partnerships with agencies and nonprofit organizations.

The plan would address building code deficiencies and building and infrastructure hazards. It would provide guidance for upgrading utilities and ensuring reliable communications for visitors and staff for park operations and safety. The plan would integrate climate change considerations in recommendations.

## **Kalaupapa (Pali) Trail Management Plan.**

*Rationale* — Access to Kalaupapa is severely limited. The Kalaupapa (Pali) Trail is the only land access to the park from topside Molokai. Both visitors and park staff depend on the trail to access the park. Maintenance of and safety on the trail are challenging due to the remote location and steep path of the three-mile trail. Both the mule operation and weather have resulted in severe wear and tear on sections of the trail, and the trail has undergone several repair projects in the past decade. The park lacks guidance for long-term visitor use and operations and maintenance of the trail. In the long term, when restrictions on visitor numbers change, additional maintenance and safety measures will be required.

*Scope* — A Kalaupapa (Pali) Trail management plan would assess the trail condition and use and make design recommendations for any changes in alignment, width, or construction. It would identify management objectives and strategies to guide the protection, management, maintenance, and use of the trail. The plan would address signage, visitor safety, visitor and employee access, and allowable uses. It would also guide management of vegetation and cultural landscape resources related to the trail. The plan could also address roles of various partners, including state agencies.

## **Partnership Stewardship Strategy.**

*Rationale* — The National Park Service owns very little land in the park, and the park's enabling legislation requires the National Park Service to partner with state agencies and other landowners for management and protection of park lands and resources. A fundamental change in management is underway as the Department of Health phases out its operations at Kalaupapa and the National Park Service takes on increased maintenance responsibilities. Preservation of numerous historic buildings requires substantial funds and staff resources. Additional resources are critical to preserving the park. In the long term, when there is no longer a patient community at Kalaupapa, the park will be faced with the demand for increased visitation and overnight accommodation of general visitors.

The general management plan directs the park to establish partnerships to promote resource stewardship and enhance visitor experience. Partnerships are vital to effective stewardship and require significant time and effort to implement and sustain. There are a number of potential partners that could assist with preservation of the park's fundamental resources and values in the future. The park desires to develop more partnerships, leverage existing partners to be more effective, and identify new partners. Current partnerships and agreements, including those with the Hawai'i Department of Hawaiian Home Lands, Hawai'i Department of Land and Natural Resources, and the churches, lack clarity on NPS authority in these areas and information needed for management of lands and facilities.

The development of a partnership stewardship strategy is critical to defining specific partners and their roles and responsibilities as they relate to furtherance of the park's purpose.

*Scope* — A park partnership stewardship strategy would improve the effectiveness of existing and future partnerships by prioritizing actions to meet partnership goals over a specified period of time. This strategy would include diverse partner interests and lay the groundwork for more detailed planning and cooperative agreements. Partners could include any organization with a shared interest such as friends groups, cooperating associations, community groups, museums, government agencies, and others. The park would collaborate with regional and national partners in the development of this strategy to leverage limited resources to provide the greatest benefit to the park, partners, and community.

A partnership stewardship strategy would include a collaborative vision for the park and partners, shared goals, and actions and define how each partner and the park could work together to accomplish a common purpose. Partnerships provide opportunities to share more resources with people than the park currently can on its own. The strategy would allow for expanded funding opportunities and other ways to address resource stewardship needs.



### Staffing Plan.

*Rationale* — The Department of Health has been providing critical functions related to maintenance of facilities and infrastructure and management of visitor use. The phasing out of the department’s operations has resulted in an increase in National Park Service operations in the park, and the National Park Service will eventually take on responsibilities now provided by the department. Before the Department of Health departs, the operational structure of the park should be comprehensively evaluated so the National Park Service can provide the functions necessary to operate the park and prevent degradation of resources.

*Scope* — A staffing plan would include an evaluation of current staffing capacity, a review of existing operations, and an assessment of staffing priorities. It would determine staffing needed to achieve the park’s mission and implement the general management plan, and it would outline a desired staffing structure as opportunities arise through retirements and transfers. The staffing structure would address the significant changes in park operations and future visitation that will take place as the Department of Health phases out its operation at Kalaupapa.

The goal of a staffing plan would be to provide for preservation of the numerous historic structures, management of cultural and natural resources, protection of threatened and endangered species, and visitor services. Law enforcement and medical response needs to support future visitation should also be evaluated. Opportunities to engage partners in areas of resource preservation and visitor use should be explored.



## Transition Management Plan.

*Rationale* — Kalaupapa National Historical Park is undergoing significant changes as the Department of Health phases out its operations. Management of buildings and structures is being transferred from the Department of Health to the National Park Service. These buildings and structures are in various states of repair, and treatments are needed for preservation and future use.

The Department of Health currently administers Kalawao County. As the Department of Health transitions out of Kalaupapa, the governance of Kalawao County will need to be determined. Consequently, the National Park Service will increasingly communicate and collaborate with the Department of Hawaiian Home Lands, which owns and leases the Kalaupapa Settlement to the National Park Service, and the Department of Land and Natural Resources, which owns about two-thirds of the peninsula.

The National Park Service does not have direction or agreements for ensuring that the intent of the enabling legislation and the general management plan is met during the transition period, which will occur in the foreseeable future. The park does not have a plan to ensure that the transition between the two agencies occurs without significant impacts on resources and gaps in park operations. A transition management plan would also help to enhance the visitor experience if a smooth transition can be achieved.

*Scope* — A transition management plan would be developed in partnership with state agencies and organizations, including the Department of Health, Department of Hawaiian Home Lands, Department of Land and Natural Resources, Department of Transportation, and the Office of Hawaiian Affairs, to provide a smooth transition. The plan would define responsibilities of the agencies and other partners during the transition, include timelines, and address maintenance and other costs related to facilities and utilities, housing, emergency operations, and law enforcement.

The plan would include decisions and strategies for operating facilities and infrastructure that the Department of Health currently maintains, including general store, gas station, care facility, visitors' quarters, and numerous structures and landscapes associated with the patient community and Department of Health workers. The plan would include a solid waste / hazardous materials assessment, including the Department of Health landfill and unexploded ordnance in an area of more than 100 acres in the vicinity of the lighthouse.

Cooperative management agreements would be developed or updated based on this plan.



## Visitor Use Management Plan.

*Rationale* — The Department of Health currently manages visitor use at Kalaupapa, including making and administering rules and regulations for visitor use with guidance from the Patient Advisory Council. The purpose of these rules is to control visitation to protect the patients' lifestyle and privacy. After the Department of Health departs and there is no longer a living patient community at Kalaupapa, visitor use management will be guided by the park's general management plan. The general management plan does not include specific guidance for how this transition will occur or the details necessary to define visitor use regulations and programs. A visitor use management plan is a necessary implementation-level plan to fulfill the visitor use goals identified in the general management plan. The plan would need to be completed before the Department of Health leaves Kalaupapa and turns over management responsibilities for visitor use to the National Park Service.

*Scope* — A visitor use management plan would outline the process and steps for new visitor use regulations for Kalaupapa National Historical Park. The plan would provide detailed guidance related to day use, overnight use, the entry pass system, locations where people are allowed, user capacity, commercial services, and numbers of visitors under each type of commercial use authorization. It would incorporate best practices for visitor use management while meeting associated legal requirements.

The visitor use management planning process would examine current and potential visitor opportunities and use patterns and identify implementable management strategies. The plan should include the following elements:

- Analysis on the feasibility and appropriateness of providing new or expanded visitor opportunities (e.g., more direct access to key visitor experiences, introducing new visitor experiences)
- Detailed guidance on providing for and managing visitor activities (e.g., day use, access to additional areas of the park)
- Assessment of the need for new visitor use facilities (through adaptive reuse of historic structures or changes to existing facilities)
- Identification of strategies to address visitor use issues (e.g., entry pass system, visitor information and orientation before arrival in park, visitor conflicts, resource impacts)

The elements of the planning process would be integrated into other plans.



## High Priority Data Needs

### Building Systems Data.

*Rationale* — The park lacks detailed data on the condition and capacity of buildings and infrastructure and utilities needed to conduct implementation level planning and make decisions on future uses of buildings in the park. Some condition assessments have been completed, but further specific data regarding building conditions (e.g., presence of lead paint, collapsed cesspools) are lacking.

These data would inform the visitor use management plan, partnership stewardship strategy, and building use and infrastructure plan.

*Scope* — Data collection would involve detailed condition assessments of the buildings, documentation of infrastructure and building code deficiencies and hazards, and study and data collection regarding water and electricity use, communication systems, and capacity of wastewater/sewage systems. Accurate drawings and maps of infrastructure (e.g., pipes/cesspools, electrical grid, communications) should be completed and this information entered into the Facility Management Software System.

### Visitor Use Study.

*Rationale* — Park staff do not regularly interact with park visitors because the Department of Health manages visitor entry to the park, the park tour is run by patient-owned concessions, and outside of the settlement general visitors need to be escorted by their sponsors. Consequently, the park lacks a full understanding of the experiences that visitors have within the park and what information or programmatic options they seek.

The park currently tracks visitor numbers and has supported a preliminary visitor study (Le and Hollenhorst 2011, Cook 2011); however, this study was limited in scope and duration. Findings and recommendations of the visitor use study would guide the park in addressing current and future visitor use issues, including visitor capacity. It would also inform long-range interpretive plan updates and future projects related to enhancing the visitor experience. The study would inform the visitor use management plan, partnership stewardship strategy, building use and infrastructure plan, and Kalaupapa (Pali) Trail management plan.

*Scope* — A comprehensive visitor use study would collect and evaluate data on visitor characteristics and baseline conditions related to visitor use levels and patterns to inform ongoing park management and future decision making. It would enhance existing assessments of visitor characteristics, visitor preferences and motivations, and baseline conditions relating to use levels and seasonal patterns. The study would document year-round visitor data during both high and low seasons, accurate visitor experience data, and, information on how people arrive in the park.

To reach the diversity of visitors and due to the current limited visitation at the park, surveys and other nontraditional input gathering should be conducted to provide a more complete picture of visitor demographics and numbers. These data would inform future planning efforts that require a better understanding of visitor capacity and demographics. Access information, including how people arrive in the park and what proportion of the visitors use different forms of access, would be gathered.



## Planning and Data Needs

| Summary of High-Priority Planning and Data Needs |                       |
|--|-----------------------|
| Plans  | Data Needs            |
| Building use and infrastructure plan             | Building systems data |
| Kalaupapa (Pali) Trail management plan           | Visitor use study     |
| Partnership stewardship strategy                 |                       |
| Staffing plan                                    |                       |
| Transition management plan                       |                       |
| Visitor use management plan                      |                       |

| Summary of Planning and Data Needs        |                    |   |
|---|--------------------|---|
| Planning or Data Needs                    | Priority (H, M, L) | Notes   |
| <b>All Resources</b>                      |                    |   |
| <b>Plans</b>                              |                    |   |
| Planning for adaptation to climate change | M                  | Climate change considerations will continue to be integrated into park planning frameworks.   |
| <b>Data Needs and Studies</b>             |                    |   |
| Climate change vulnerability assessment   | M                  | There is an islandwide effort to assess the vulnerability of natural and cultural resources and assets to climate change. The park is working with a topside organization (Ka Honua Momona) to bring in climate change scientists and meet with local kūpuna, organizations, and the public to disseminate information.   |
| <b>Natural Resources</b>                  |                    |   |
| <b>Plans</b>                              |                    |   |
| Invasive species management plan          | M                  | The plan would include feral animal control.  |
| Resource stewardship strategy             | M                  | The plan would provide guidance for both natural (terrestrial and marine) and cultural resources.   |
| Vegetation management plan                | M                  | The plan would include the Waikolu and Pu'u Ali'i areas, heritage trees, and the overall viewshed. It is needed for implementation of the fire management plan, defensible space management, and cultural landscapes guidance. The plan would assist in protecting native plants from invasive and nonnative species. It would be integrated with the fire management, invasive species management, and visual resource management plans and the cultural landscape report. |

| Summary of Planning and Data Needs   |                    |  |
|--|--------------------|--|
| Planning or Data Needs   | Priority (H, M, L) | Notes  |
| <b>Natural Resources</b>   |                    |  |
| <b>Plans (continued)</b>   |                    |  |
| Waikolu management plan  | M                  | The plan would be developed with the Department of Land and Natural Resources and would address integrated management of natural and cultural resources. It would be integrated with the vegetation management and invasive species management plans.                          |
| Night sky management plan  | L                  |  |
| Soundscape management plan   | L                  |  |
| <b>Data Needs and Studies</b>  |                    |  |
| Monitoring wildlife status and trends  | M                  | The monitoring would include terrestrial birds, bats, and insects.   |
| Research and monitoring of ecosystem processes                                   | M                  | Monitor water quality changes related to management actions. There is concern about impacts on marine water quality from septic fields/pits throughout Kalaupapa, stormwater runoff, and freshwater quality in Waikolu relating to activity by feral animals, especially pigs. |
| Wild and scenic river designation assessment of Waikolu Stream and other streams | M                  |  |
| Air quality monitoring   | L                  |  |
| <b>Scenic Resources</b>  |                    |  |
| <b>Plans</b>   |                    |  |
| Visual resource management plan  | M                  |  |
| <b>Cultural Resources</b>  |                    |  |
| <b>Plans</b>   |                    |  |
| Cultural landscape report  | M                  | The report would include a cemetery preservation plan.   |
| Ethnographic overview and assessment   | M                  |  |
| Resource stewardship strategy  | M                  |  |
| Historic structure report(s)   | L                  |  |

| Summary of Planning and Data Needs  |                    |   |
|---|--------------------|---|
| Planning or Data Needs  | Priority (H, M, L) | Notes   |
| <b>Cultural Resources</b>   |                    |   |
| <b>Data Needs and Studies</b>   |                    |   |
| Archeological survey and documentation  | M                  |   |
| Ethnographic research and oral histories  | M                  | Patients, kama 'aina, landscapes, and sites would be included.  |
| Historic American Buildings Survey, Historic American Engineering Report, and Historic American Landscape Survey for coastal historic buildings | M                  | Buildings, structures, and landscapes at risk of damage/loss due to climate change would be documented.   |
| Resource management record survey   | M                  | This comprehensive parkwide survey of employee and division records related to resource management and park decision making is needed for records management and park archives. |
| Administrative history  | L                  |   |
| Historic resources study  | L                  |   |
| Traditional use study   | L                  |   |
| <b>Visitor Experience</b>   |                    |   |
| <b>Plans</b>  |                    |   |
| Visitor use management plan   | H                  |   |
| Accessibility transition plan   | M                  |   |
| Long-range interpretive plan (update)   | M                  |   |
| Outreach plan   | M                  |   |
| <b>Data Needs and Studies</b>   |                    |   |
| Visitor use study   | H                  | The study would build on data collected for the previous 2011 study.  |
| GIS database with a public web-based interface for interactive interpretation   | M                  |   |



| Summary of Planning and Data Needs              |                    |   |
|---|--------------------|---|
| Planning or Data Needs                          | Priority (H, M, L) | Notes   |
| <b>Facilities</b>                               |                    |   |
| <b>Plans</b>                                    |                    |   |
| Building use and infrastructure plan            | H                  |   |
| Kalaupapa (Pali) Trail management plan          | H                  |   |
| Comprehensive energy conservation plan          | M                  | The plan would include a renewable energy feasibility assessment and address waste management.  |
| Transportation plan                             | M                  |   |
| <b>Data Needs and Studies</b>                   |                    |   |
| Building systems data                           | H                  |   |
| <b>Operations and Partnerships</b>              |                    |   |
| <b>Plans</b>                                    |                    |   |
| Partnership stewardship strategy                | H                  |   |
| Staffing plan                                   | H                  |   |
| Transition management plan                      | H                  | This plan would focus on the transition from Department of Health to National Park Service management and new cooperation with Department of Hawaiian Home Lands, Department of Land and Natural Resources, Department of Transportation, Office of Hawaiian Affairs, and others. It would address jurisdictional issues. |
| Scenario and adaptation plan for climate change | M                  |   |
| Strategic plan                                  | M                  |   |



## Part 3: Contributors

This foundation document is the result of input from state agencies, including the Department of Hawaiian Homelands, the Department of Health, and Department of Land and Natural Resources; the patient community; the Kalaupapa Advisory Commission; and local communities and the public during the foundation workshop and general management plan meetings.

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| Gloria Marks, Chair, Kalaupapa Patients Advisory Council                            | Edean Saito, Special Projects Manager, Pacific Historic Parks                      |

Appendixes

Appendix A: Enabling Legislation and Legislative Acts for Kalaupapa National Historical Park

|   |  |  |
|---|--|--|
| NATIONAL HISTORICAL PARKS   |  | 259  |
| 6. Kalaupapa  |  |  |
| PUBLIC LAW 96-565—DEC. 22, 1980   |  | 94 STAT. 3321  |
| Public Law 96-565<br>96th Congress  |  |  |
| An Act  |  |  |
| To establish the Kalaupapa National Historical Park in the State of Hawaii, and for other purposes.   |  | Dec. 22, 1980<br>[H.R. 7217]   |
| <i>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,</i>  |  |  |
| SEC. 101. In order to provide for the preservation of the unique nationally and internationally significant cultural, historic, educational, and scenic resources of the Kalaupapa settlement on the island of Molokai in the State of Hawaii, there is hereby established the Kalaupapa National Historical Park (hereinafter referred to as the "park").  |  | Kalaupapa National Historical Park, Hawaii. Establishment. 16 USC 410jj. |
| SEC. 102. The Congress declares the following to constitute the principal purposes of the park:   |  | Purposes. 16 USC 410jj-1.  |
| (1) to preserve and interpret the Kalaupapa settlement for the education and inspiration of present and future generations.   |  |  |
| (2) to provide a well-maintained community in which the Kalaupapa leprosy patients are guaranteed that they may remain at Kalaupapa as long as they wish; to protect the current lifestyle of these patients and their individual privacy; to research, preserve, and maintain the present character of the community; to research, preserve, and maintain important historic structures, traditional Hawaiian sites, cultural values, and natural features; and to provide for limited visitation by the general public and  |  |  |
| (3) to provide that the preservation and interpretation of the settlement be managed and performed by patient and Native Hawaiians to the extent practical, and that training opportunities be provided such person in management and interpretation of the settlement's culture, historical, educational and scenic resources.   |  |  |
| SEC. 103. The boundaries of the park shall include the lands, waters, and interests therein within the area generally depicted on the map entitled "Boundary Map, Kalaupapa National Historical Park", numbered P07 80024, and dated May 1980, which shall be on file and available for public inspection in the local and Washington, District of Columbia offices of the National Park Service, Department of the Interior. The Secretary of the Interior (hereinafter referred to as the "Secretary") may make minor revisions in the boundary of the park by publication of a revised boundary map or other description to that effect in the Federal Register. |  | Boundaries; public inspection. 16 USC 410jj-2.                           |
| SEC. 104. (a) Within the boundary of the park, the Secretary is authorized to acquire those lands owned by the State of Hawaii or by political subdivision thereof only by donation or exchange, and only with the consent of the owner. Any such exchange shall be accomplished in accordance with the provisions of sections 5 (b) and (c) of the Act approved July 15, 1968 (82 Stat. 354). Any property conveyed to the State or a political subdivision thereof in exchange for property within the park which is held in trust for the benefit of Native  |  | Land acquisition. 16 USC 410jj-2.<br><br>16 USC 460f-22.                 |



48 USC 691. Hawaiians, as defined in the Hawaiian Homes Commission Act of 1920 shall, as a matter of Federal law, be held by the grantee subject to an equitable estate of the same class and degree as encumbers the property within the preserve; and "available lands" defined in section 203 of the Hawaiian Homes Commission Act may be exchanged in accordance with section 204 of said Act. The vesting of title in the United States to property within the park shall operate to extinguish any such equitable estate with respect to property acquired by exchange within the park.

48 USC 697.  
48 USC 698.

(b) The Secretary is authorized to acquire privately-owned lands within the boundary of the park by donation, purchase with donated or appropriated funds, or exchange.

(c) The Secretary is authorized to acquire by any of the forgoing methods except condemnation, lands, waters and interests therein outside the boundary of the park and outside the boundaries of any other unit of the National Park System but within the State of Hawaii, and to convey the same to the Department of Hawaiian Home Lands in exchange for lands, waters, and interests therein within the park owned by that Department. Any such exchange shall be accomplished in accordance with the provisions defined in subsection (a) of this section.

Administration.  
16 USC 410jj-4.  
43 USC 1457, 16  
USC 1, 2, 3, 4, 22,  
43.  
16 USC 461-467.

SEC. 105. (a) The Secretary shall administer the park in accordance with the provisions of the Act of August 25, 1916 (39 Stat. 535), the Act of August 21, 1935 (49 Stat. 666), and the provisions of this Act.

(b)(1) With the approval of the owner thereof, the Secretary may undertake critical or emergency stabilization of utilities and historic structures, develop and occupy temporary office space, and conduct interim interpretive and visitor services on non-Federal property within the park.

Cooperative  
agreements.

(2) The Secretary shall seek and may enter into cooperative agreements with the owner or owners of property within the park pursuant to which the Secretary may preserve, protect, maintain, construct, reconstruct, develop, improve, and interpret sites, facilities, and resources of historic, natural, architectural, and cultural significance. Such agreements shall be of not less than twenty years duration, may be extended and amended by mutual agreement, and shall include, without limitation, provisions that the Secretary shall have the right of access at reasonable times to public portions of the property for interpretive and other purpose, and that no changes or alterations shall be made in the property except by mutual agreement. Each such agreement shall also provide that the owner shall be liable to the United States in an amount equal to the fair market value of any capital improvements made to or placed upon the property in the event the agreement is terminated prior to its natural expiration, or any extension thereof, by the owner, such value to be determined as of the date of such termination, or, at the election of the Secretary, that the Secretary be permitted to remove such capital improvements within a reasonable time of such termination. Upon the expiration of such agreement, the improvements thereon shall become the property of the owner, unless the United States desires to remove such capital improvements and restore the property to its natural state within a reasonable time for such expiration.

(3) Except for emergency, temporary, and interim activity as authorized in paragraph (1) of this subsection, no funds appropriated pursuant to this Act shall be expended on non-Federal property unless such expenditure is pursuant to a cooperative agreement with the owner.

## PUBLIC LAW 96-565—DEC. 22, 1980

94 STAT. 3323

(4) The Secretary may stabilize and rehabilitate structures and other properties used for religious or sectarian purposes only if such properties constitute a substantial and integral part of the historical fabric of the Kalaupapa settlement, and only to the extent necessary and appropriate to interpret adequately the nationally significant historical features and events of the settlement for the benefit of the public.

Religious  
structures.

SEC. 106. The following provisions are made with respect to the special needs of the leprosy patients residing in the Kalaupapa settlement—

Leprosy  
patients.  
16 USC 410jj-5

(1) So long as the patient may direct, the Secretary shall not permit public visitation to the settlement in excess of one hundred persons in any one day.

(2) Health care for the patient shall continue to be provided by the State of Hawaii, with assistance from Federal programs other than those authorized herein.

(3) Notwithstanding any other provision of law, the Secretary shall provide patients a first right of refusal to provide revenue-producing visitor services, including such services as providing food, accommodations, transportation, tours, and guides.

(4) Patients shall continue to have the right to take and utilize fish and wildlife resources without regard to Federal fish and game laws and regulations.

(5) Patients shall continue to have the right to take and utilize plant and other natural resources for traditional purposes in accordance with applicable State and Federal laws.

SEC. 107. The following provisions are made with respect to additional needs of the leprosy patients and Native Hawaiians for employment and training. (The term "Native Hawaiian" as used in this title, means a descendant of not less than one-half part of the blood of the races inhabiting the Hawaiian Islands previous to the year 1778.)—

Employment  
and training.  
16 USC 410jj-6.  
"Native  
Hawaiian."

(1) Notwithstanding any other provision of law, the Secretary shall give first preference to qualified patients and Native Hawaiians in making appointments to positions established for the administration of the park, and the appointment of patients and Native Hawaiians shall be without regard to any provision of the Federal civil service laws giving an employment preference to any other class of applicant and without regard to any numerical limitation on personnel otherwise applicable.

(2) The Secretary shall provide training opportunities for patients and Native Hawaiians to develop skills necessary to qualify for the provision of visitor services and for appointment to positions referred to in paragraph (1).

SEC. 108 (a) There is hereby established the Kalaupapa National Historical Park Advisory Commission (hereinafter referred to as the "Commission"), which shall consist of eleven members each appointed by the Secretary for a term of five years as follows:

Kalaupapa  
National  
Historical Park  
Advisory  
Commission.  
Establishment.  
Membership.  
16 USC 410jj-7.

(1) seven members who shall be present or former patients, elected by the patient community, and

(2) four members appointed from recommendations submitted by the Governor of Hawaii, at least one of whom shall be a Native Hawaiian.

## 94 STAT. 3323

## PUBLIC LAW 96-565—DEC. 22, 1980

Chairman.  
Vacancies.

(b) The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

Compensation.  
Expenses.

(c) A member of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expenses reasonably incurred by the Commission in carrying out its responsibilities under this Act on vouchers signed by the Chairman.

94 STAT. 3324

(d) The Secretary shall consult with and seek the advice of the Commission with respect to the development and operation of the park including training program. The Commission shall, in addition, advise the Secretary concerning public visitation to the park, and such advice with respect to numbers of visitors shall be binding upon the Secretary if the Commission certifies to him that such advice is based on a referendum, held under the auspices of the Commission, of all patients on the official Kalaupapa Registry.

Expiration.

(e) The Commission shall expire twenty-five years from the date of enactment of this Act.

Reevaluation.  
16 USC 410jj-8.

SEC. 109. At such time when there is no longer a resident patient community at Kalaupapa, the Secretary shall reevaluate the policies governing the management, administration, and public use of the park in order to identify any changes deemed to be appropriate.

Appropriation  
Authorization.  
16 USC 410jj-9.

SEC. 110. Effective October 1, 1981, there are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this title but not to exceed \$2,500,000 for acquisition of lands and interests in lands and \$1,000,000 for development.

\* \* \* \* \*

Approved December 22, 1980.

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**LEGISLATIVE HISTORY:**

HOUSE REPORT No. 96-1019 (Comm. on Interior and Insular Affairs).  
SENATE REPORT No. 96-1027 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD, Vol. 126 (1980):  
May 19, considered and passed House.  
Dec. 4, considered and passed Senate, amended.  
Dec. 5, House concurred in Senate amendments.



7. Kalaupapa

PUBLIC LAW 100-202—DEC. 22, 1987

101 STAT. 1329

Public Law 100-202  
100th Congress

Joint Resolution

Making further continuing appropriations for the fiscal year 1988, and for other purposes. Dec. 22, 1987  
[H.J. Res. 395]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

\* \* \* \* \*

AN ACT

101 STAT.  
1329-214

Making appropriations for the Department of the Interior and Related Agencies for the fiscal Year ending September 30, 1988, and for other purposes.

TITLE I—DEPARTMENT OF THE INTERIOR

\* \* \* \* \*

NATIONAL PARK SERVICE

101 STAT.  
1329-218

OPERATION OF THE NATIONAL PARK SYSTEM

\* \* \* \* \*

. . . *Provided further*, That notwithstanding any other provision of law, Public Law 96-565 is amended by adding the following at the end of section 104(a): "The Secretary may lease from the Department of Hawaiian Home Lands said trust lands until such time as said lands may be acquired by exchange as set forth herein or otherwise acquired. The Secretary may enter into such a lease without regard to fiscal year limitations.": . . .

\* \* \* \* \*

Approved December 22, 1987. 101 STAT.  
1329-450

Certified April 20, 1988.  
\* \* \* \* \*

LEGISLATIVE HISTORY—H.J. Res. 395:  
HOUSE REPORTS: No. 100-415 (Comm. on Appropriations) and No. 100-498 (Comm. of Conference).  
SENATE REPORTS: No. 100-238 (Comm. on Appropriations).  
CONGRESSIONAL RECORD, Vol. 133 (1987):  
Dec. 3, considered and passed House.  
Dec. 11, considered and passed Senate, amended.  
Dec. 21, House and Senate agreed to conference report.  
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 23 (1987):  
Dec. 22, Presidential remarks.

## PUBLIC LAW 109–54—AUG. 2, 2005

119 STAT. 525

continue in effect under the renewed permit. Nothing in this section shall be deemed to extend the nonrenewable permits beyond the standard 1-year term.

SEC. 124. Notwithstanding any other provision of law, the Secretary of the Interior is authorized to acquire lands, waters, or interests therein including the use of all or part of any pier, dock, or landing within the State of New York and the State of New Jersey, for the purpose of operating and maintaining facilities in the support of transportation and accommodation of visitors to Ellis, Governors, and Liberty Islands, and of other program and administrative activities, by donation or with appropriated funds, including franchise fees (and other monetary consideration), or by exchange; and the Secretary is authorized to negotiate and enter into leases, subleases, concession contracts or other agreements for the use of such facilities on such terms and conditions as the Secretary may determine reasonable.

New York.  
New Jersey.

SEC. 125. Upon the request of the permittee for the Clark Mountain Allotment lands adjacent to the Mojave National Preserve, the Secretary shall also issue a special use permit for that portion of the grazing allotment located within the Preserve. The special use permit shall be issued with the same terms and conditions as the most recently-issued permit for that allotment and the Secretary shall consider the permit to be one transferred in accordance with section 325 of Public Law 108–108.

Mojave National  
Preserve.

SEC. 126. Notwithstanding any other provision of law, the National Park Service final winter use rules published in Part VII of the Federal Register for November 10, 2004, 69 Fed. Reg. 65348 et seq., shall be in force and effect for the winter use season of 2005–2006 that commences on or about December 15, 2005.

Applicability.  
Effective date.

SEC. 127. Section 1121(d) of the Education Amendments of 1978 (25 U.S.C. 2001(d)) is amended by striking paragraph (7) and inserting the following:

“(7) APPROVAL OF INDIAN TRIBES.—The Secretary shall not terminate, close, consolidate, contract, transfer to another authority, or take any other action relating to an elementary school or secondary school (or any program of such a school) of an Indian tribe without the approval of the governing body of any Indian tribe that would be affected by such an action.”.

SEC. 128. Section 108(e) of the Act entitled “An Act to establish the Kalaupapa National Historical Park in the State of Hawaii, and for other purposes” (16 U.S.C. 410jj–7) is amended by striking “twenty-five years from” and inserting “on the date that is 45 years after”.

SEC. 129. Section 402(b) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(b)) is amended by striking “September 30, 2005,” and inserting “June 30, 2006.”.

SEC. 130. None of the funds in this or any other Act may be used to set up Centers of Excellence and Partnership Skills Bank training without prior approval of the House and Senate Committees on Appropriations.

SEC. 131. Section 114 of the Department of the Interior and Related Agencies Appropriations Act, 2003 (16 U.S.C. 460bb–3 note; 117 Stat. 239; division F of Public Law 108–7), is amended—

(1) in the second sentence, by inserting “, including utility expenses of the National Park Service or lessees of the National Park Service” after “Fort Baker properties”; and

the non-Federal land generally depicted on the map as “Tract D”, and the offer is acceptable to the Secretary, the Secretary may, subject to valid existing rights, accept the offer and convey to the Company all right, title, and interest of the United States in and to the Federal land generally depicted on the map as “Tract B”, along with a perpetual easement on a corridor of land contiguous to Tract B for the purpose of vegetation management.

(B) CONDITIONS.—The land exchange under subparagraph (A) shall be subject to such terms and conditions as the Secretary may require.

(C) VALUATION.—

(i) IN GENERAL.—The values of the land involved in the land exchange under subparagraph (A) shall be equal unless the non-Federal land is of higher value than the Federal land.

(ii) EQUALIZATION.—If the values of the land are not equal, the values may be equalized by donation, payment using donated or appropriated funds, or the conveyance of additional parcels of land.

(D) APPRAISAL.—Before the exchange of land under subparagraph (A), appraisals for the Federal and non-Federal land shall be conducted in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(E) TECHNICAL CORRECTIONS.—Subject to the agreement of the Company, the Secretary may make minor corrections to correct technical and clerical errors in the legal descriptions of the Federal and non-Federal land and minor adjustments to the boundaries of the Federal and non-Federal land.

(F) ADMINISTRATION OF LAND ACQUIRED BY SECRETARY.—Land acquired by the Secretary under subparagraph (A) shall—

(i) become part of the National Park; and

(ii) be administered in accordance with the laws applicable to the National Park System.

(4) MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(5) BOUNDARY REVISION.—On completion of the land exchanges authorized by this subsection, the Secretary shall adjust the boundary of the National Park accordingly, including removing the land conveyed out of Federal ownership.

Hawaii.  
16 USC 410jj–4  
note.  
Ka ‘Ohana O  
Kalaupapa.  
Establishment.

#### **SEC. 7108. KALAUPAPA NATIONAL HISTORICAL PARK.**

(a) IN GENERAL.—The Secretary of the Interior shall authorize Ka ‘Ohana O Kalaupapa, a non-profit organization consisting of patient residents at Kalaupapa National Historical Park, and their family members and friends, to establish a memorial at a suitable location or locations approved by the Secretary at Kalawao or Kalaupapa within the boundaries of Kalaupapa National Historical Park located on the island of Molokai, in the State of Hawaii, to honor and perpetuate the memory of those individuals who were forcibly relocated to Kalaupapa Peninsula from 1866 to 1969.

(b) DESIGN.—



PUBLIC LAW 111–11—MAR. 30, 2009

123 STAT. 1197

(1) IN GENERAL.—The memorial authorized by subsection (a) shall—

(A) display in an appropriate manner the names of the first 5,000 individuals sent to the Kalaupapa Peninsula between 1866 and 1896, most of whom lived at Kalawao; and

(B) display in an appropriate manner the names of the approximately 3,000 individuals who arrived at Kalaupapa in the second part of its history, when most of the community was concentrated on the Kalaupapa side of the peninsula.

(2) APPROVAL.—The location, size, design, and inscriptions of the memorial authorized by subsection (a) shall be subject to the approval of the Secretary of the Interior.

(c) FUNDING.—Ka ‘Ohana O Kalaupapa, a nonprofit organization, shall be solely responsible for acceptance of contributions for and payment of the expenses associated with the establishment of the memorial.

**SEC. 7109. BOSTON HARBOR ISLANDS NATIONAL RECREATION AREA.** Massachusetts.

(a) COOPERATIVE AGREEMENTS.—Section 1029(d) of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 460kkk(d)) is amended by striking paragraph (3) and inserting the following:

“(3) AGREEMENTS.—

“(A) DEFINITION OF ELIGIBLE ENTITY.—In this paragraph, the term ‘eligible entity’ means—

“(i) the Commonwealth of Massachusetts;

“(ii) a political subdivision of the Commonwealth of Massachusetts; or

“(iii) any other entity that is a member of the Boston Harbor Islands Partnership described in subsection (e)(2).

“(B) AUTHORITY OF SECRETARY.—Subject to subparagraph (C), the Secretary may consult with an eligible entity on, and enter into with the eligible entity—

“(i) a cooperative management agreement to acquire from, and provide to, the eligible entity goods and services for the cooperative management of land within the recreation area; and

“(ii) notwithstanding section 6305 of title 31, United States Code, a cooperative agreement for the construction of recreation area facilities on land owned by an eligible entity for purposes consistent with the management plan under subsection (f).

“(C) CONDITIONS.—The Secretary may enter into an agreement with an eligible entity under subparagraph (B) only if the Secretary determines that—

“(i) appropriations for carrying out the purposes of the agreement are available; and

“(ii) the agreement is in the best interests of the United States.”.

(b) TECHNICAL AMENDMENTS.—

(1) MEMBERSHIP.—Section 1029(e)(2)(B) of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 460kkk(e)(2)(B)) is amended by striking “Coast Guard” and inserting “Coast Guard.”.

## Appendix B: Inventory of Special Mandates and Administrative Commitments

This appendix describes the unique management structure of Kalaupapa National Historical Park and includes information about management authority, jurisdiction, landownership, designations and protected areas, special mandates, and cooperative agreements.

### Management Authority and Jurisdiction

Kalaupapa National Historical Park differs significantly from most other national parks in that almost all of the 8,720 acres of land, 2,060 acres of submerged and offshore lands, and improvements within the authorized boundary may remain in nonfederal ownership to be managed by the National Park Service through cooperative agreements. This section describes landownership, special designations and protected areas within the park, special mandates, and cooperative agreements that are unique to Kalaupapa National Historical Park.

### Landownership

The National Park Service (NPS) owns 22.88 acres in which the light house, as well as the Molokai Light Station, two historic houses, and four outbuildings are located.

The Department of Hawaiian Home Lands (DHHL) owns 1,290 acres within the park boundary. The current 50-year lease between the National Park Service and the Department of Hawaiian Home Lands (which could be renewed in 2041) encumbers only the 1,247-acre parcel and does not include the 43 acres at Pālā‘au State Park, which lies outside of Kalawao County.

The Hawai‘i Department of Land and Natural Resources (DLNR) owns 9,394 acres within the park. The National Park Service has a cooperative agreement with the Department of Land and Natural Resources to administer some of these lands. Most Department of Land and Natural Resources land is zoned Conservation — with 1,541 acres in the Molokai Forest Reserve (not administered by the National Park Service) and 2,060 acres of submerged and offshore lands including 60 acres surrounding Nihoa. The application of the Conservation zone indicates that the state has imposed development restrictions on the land to conserve, protect, or preserve important natural resources in those areas.

The Hawai‘i Department of Transportation (DOT) owns 42.2 acres at the tip of the peninsula. This area encompasses the airport runway and adjacent lands. The Department of Transportation owns the structures at the airport facility including the terminal and three storage/maintenance buildings.

R. W. Meyer, Ltd., owns 72 acres at the top of the pali east of Pālā‘au State Park.

| Landownership in Kalaupapa National Historical Park |   |             |              |
|---|---|-------------|--------------|
| NPS Tract Number                                    | Owner   | Managers    | Acres (Deed) |
| 101-01  | State DLNR. Airport property (approximately 42 acres) is owned and managed by DOT | DOH and NPS | 7,256        |
| 101-02  | NPS (Coast Guard)   | NPS         | 22.13        |
| 101-03  | NPS (Coast Guard)   | NPS         | 0.75         |
| 101-04  | State DHHL (Kalaupapa Settlement)   | NPS         | 1,247        |
| 101-05  | R. W. Meyer, Ltd.   | NPS         | 72           |
| 101-06  | State DHHL (Pālā'au State Park)   | State Parks | 43           |
| 101-07  | State DLNR Nihoa  | NPS         | 78           |
| 101-08  | State DLNR Marine, including 'Ōkala and Huelo                                     | NPS         | 2,000        |
| 101-09  | State DLNR Marine Nihoa   | NPS, DLNR   | 60           |
| Total land acres                                    |   |             | 8,718.88     |
| Total marine acres                                  |   |             | 2,060        |
| Total acres   |   |             | 10,778.88    |

Source: National Park Service Land Resources Division.

Note: Deed acres are reported in the text of the deeds except for the DOT acreage, which is not specified in the deed and thus Maui County TMK acres are given in table.

## Designations and Protected Areas

Within Kalaupapa National Historic Park are a number of geographical areas that have special designations and are administered by different agencies. These areas are listed in the following table and described in detail in this section.

| Designations and Protected Areas in Kalaupapa National Historical Park |      |                                   |                                   |   |
|--|------|-----------------------------------|-----------------------------------|---|
| Designation  | Date | Designator                        | Total Area of Designation (acres) | Area of Designation Within Park (acres) |
| Molokai Forest Reserve   | 1903 | Territorial Government of Hawai'i | 1,541                             | 1,541                                   |
| National natural landmark  | 1972 | Secretary of the Interior         | 27,100                            | 5,085                                   |
| National historic landmark   | 1976 | Secretary of the Interior         | 15,645                            | 10,674                                  |
| Seabird sanctuaries on 'Ōkala and Huelo Islands                        | 1981 | State of Hawai'i, DLNR            | 9                                 | 9                                       |
| Pu'u Ali'i Natural Area Reserve  | 1985 | State of Hawai'i Governor         | 1,330                             | 1,330                                   |



### **Molokai Forest Reserve**

The Forest Reserve System was created by the Territorial Government of Hawai'i through Act 44 on April 25, 1903. With Hawai'i's increase in population, expanding ranching industry, and extensive agricultural production of sugarcane and later pineapple, early territorial foresters recognized the need to protect uka (upland) forests to provide the necessary water requirements for the lowland agricultural demands and surrounding communities. Within Kalawao County, approximately 1,541 acres contain the uka areas of the ahupua'a of Makanalua and Kalawao and are designated as Molokai Forest Reserve. The Forest Reserve is located above the 500-foot contour and serves as a public hunting area. With its inception, the Forest Reserve System represented a public-private partnership to protect and enhance important forested uka lands for their abundance of public benefits and values. Today the tradition is carried on by the Department of Land and Natural Resources, Division of Forestry and Wildlife (DOFAW) for public Forest Reserve lands. The Division of Forestry and Wildlife focuses its resources to protect, manage, restore, and monitor the natural resources of the Forest Reserve System.

### **National Natural Landmark**

The North Shore Cliffs were designated a National Natural Landmark in December 1972. The landmark includes 27,100 acres located along 17 miles of the northeast coast between the villages of Kalaupapa and Halawa. Approximately, one fifth (5,085 acres) of the landmark is located within Kalaupapa National Historical Park. The North Shore Cliffs represent the major episode of volcanism that created Molokai, which is among the most ancient in the Hawaiian Island chain. The North Shore Cliffs and adjacent valleys and uplands are "scenically majestic and scientifically important. The physical features of Molokai, including the North Shore Cliffs, are considered to be of prime importance to geologists in piecing together the story of how the Hawaiian Islands were formed."

### **National Historic Landmark**

On January 7, 1976, the "Kalaupapa Leprosy Settlement" was designated a National Historic Landmark and subsequently listed in the National Register of Historic Places (NR #76002415). It includes 15,645 acres of land and waters, an area significantly larger than the boundary of Kalaupapa National Historic Park. The national historic landmark has a marine boundary that extends 0.93 miles offshore to include Mōkapu Island creating a marine area of 7,031 acres, approximately 4,971 acres larger than current park marine area of 2,060 acres.

The Kalaupapa and Kalawao settlements are historically significant as the first Hansen's disease (leprosy) colony in American history. The national historic landmark nomination identifies the areas of significance for the settlement as prehistoric archeology, historic archeology, architecture, community planning, religion, and social/humanitarian activity. The period of significance begins in 1866 when the first people afflicted with Hansen's disease arrived at Kalaupapa and continues to the present.

In 2004, a condition update for the National Historic Landmark Program determined the status of the Kalaupapa Leprosy Settlement National Historic Landmark as "Threatened" due to pest infestations impacting historic structures, deferred maintenance, and lack of funding to maintain the numerous physical resources that contribute to its significance.

An update to the national historic landmark nomination for the settlement is in progress.

## Seabird Sanctuaries

On April 30, 1981, the State of Hawai'i Department of Land and Natural Resources amended its rules regulating wildlife sanctuaries to include 'Ōkala and Huelo Islands, located offshore of Waikolu Valley, Kalawao, Molokai. The purpose of the rules is to conserve, manage, and protect indigenous wildlife in sanctuaries. These rules include prohibited entry, landing, etc., and the removal, disturbance, injury, killing, or possession of any form of plant or wildlife (Department of Land and Natural Resources, Title 13, Subtitle 5, Part 2, Capture 125).

## Pu'u Ali'i Natural Area Reserve

Hawai'i's natural resources include geological and volcanological features and distinctive marine and terrestrial plants and animals, many of which occur nowhere else in the world. In 1970, the Hawai'i State Legislature expressed the need to protect and preserve the state's unique natural resources, both for the enjoyment of future generations and to provide baseline data to evaluate the impact of environmental changes occurring in the state. The statewide Natural Area Reserve System was therefore established to preserve in perpetuity specific land and water areas that support relatively unmodified communities of natural flora and fauna, as well as geological sites. The Natural Area Reserves System is administered by the State of Hawai'i, Department of Land and Natural Resources, Division of Forestry and Wildlife. The system presently consists of 19 reserves on five islands, encompassing more than 109,000 acres of the state's most unique ecosystems. One of these areas, Pu'u Ali'i, is located within Kalaupapa National Historical Park.

The Pu'u Ali'i Natural Area Reserve, established in 1985, encompasses 1,330 acres in the southeast corner of the park between Pelekunu and Waikolu Valleys. Elevations in the reserve range from 2,250 feet at the top of the sea cliffs on the northern edge to 4,222 feet at the summit of Pu'u Ali'i. The Pu'u Ali'i NAR is divided into two management units— the North and South Units. The South Unit is fenced and encloses approximately 640 acres in the higher elevation part of the reserve, whereas the North Unit is protected by two strategic fences making up the remaining 690 acres in the lower part of the reserve. The reserve is bordered on the south by the Kamakou Preserve, which is managed by the Nature Conservancy.



## **Special Mandates**

### **Administration**

With the approval of the owner, the Secretary of the Interior may undertake critical or emergency stabilization of utilities and historic structures, develop and occupy temporary office space, and conduct interim interpretative and visitor services on nonfederal property within the park. The original intent of this statement was to provide the NPS with the interim authority to spend federal funds until cooperative agreements were approved (Public Law 96-565, Sec. 105, December 22, 1980).

### **Authorization of Appropriated Funds**

Effective October 1, 1981, there are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this title but not to exceed \$2,500,000 for acquisition of lands and interests in lands and \$1,000,000 for development (Public Law 96-565, Sec. 110, December 22, 1980).

### **Hawai'i Department of Health**

Pursuant to HRS §326-34b, the county of Kalawao is governed by the Hawai'i State Department of Health, including those specific regulations relating to the care and treatment of persons affected with Hansen's disease, except as otherwise provided by law. Cooperative Agreement CA8896-4-0001, Modification: 0001, dated March 30, 1984 and extended April 1, 2004 for 20 years.

### **Hansen's Disease Patients**

Health care for the patients shall continue to be provided by the State of Hawai'i, with assistance from federal programs other than those authorized herein. Patients shall continue to have the right to take and utilize fish and wildlife resources without regard to federal fish and game laws and regulations. Patients shall continue to have the right to take and utilize plant and other natural resources for traditional purposes in accordance with applicable state and federal laws (Public Law 96-565, Sec. 106, December 22, 1980).

### **Kalaupapa Memorial**

The Secretary of the Interior shall authorize Ka 'Ohana O Kalaupapa, a nonprofit organization consisting of patient residents at Kalaupapa National Historical Park and their family members and friends, to establish a memorial at a suitable location or locations approved by the Secretary at Kalawao or Kalaupapa within the boundaries of Kalaupapa National Historical Park to honor and perpetuate the memory of those individuals who were forcibly relocated to the Kalaupapa peninsula from 1866 to 1969 (H.R.410 Kalaupapa Memorial Act 2009).

### **Kalaupapa National Historical Park Advisory Commission**

The Kalaupapa National Historical Park Advisory Commission was established on December 22, 1980, for a duration of 45 years (Public Law 96-565, Sec. 108, December 22, 1980, Public Law 109-54, Sec. 128, August 2, 2005).

### **Land Acquisition**

Lands owned by the State of Hawai'i or a political subdivision can be acquired by the Secretary of the Interior only through donation or exchange and only with the consent of the owner. Privately owned lands within the boundary of the park can be acquired by the Secretary of the Interior by donation, purchase with donated or appropriated funds, or exchange. The Secretary of the Interior can acquire lands, waters, and interests by any methods, except by condemnation, within the State of Hawai'i for the conveyance and exchange of lands, waters, and interests within the Kalaupapa National Historical Park boundary owned by the Department of Hawaiian Home Lands (Public Law 96-565, Sec. 104, December 22, 1980).



## **Land Lease from Hawaiian Home Lands**

Pursuant to Public Law 100-202, dated December 22, 1987, on September 22, 1992, the National Park Service entered into a lease for 1,247 acres with the State of Hawai‘i, Department of Hawaiian Home Lands for 50 years beginning on July 15, 1991, to July 14, 2041. The current lease agreement only covers land within Kalawao county and does not include the 43 acres at Pālā‘au State Park. The leased area contains the western part of the peninsula, including the entire Kalaupapa Settlement, sea cliffs, and trail to topside. The National Park Service is obligated to pay rent annually for use and operations on the premises (General Lease No. 231, September 22, 1992, Tax Map Key No. 6-1-01:01).

## **Patient and Native Hawaiian Staffing**

Preservation and interpretation of the settlement will be managed and performed by patients and native Hawaiians to the extent practical. Notwithstanding any other provision of law, the Secretary shall give first preference to qualified patients and native Hawaiians in making appointments to positions established for the administration of the park, and the appointment of patients and native Hawaiians shall be without regard to any provision of the federal civil service laws. The Secretary shall provide patients a first right of refusal to provide revenue-producing visitor services, including such services as providing food, accommodations, transportation, tours, and guides. In its lease with the National Park Service, The Department of Hawaiian Home Lands has reserved the authority to give native Hawaiians a “second right of refusal” to provide revenue-producing visitor services for the areas of the park covered by the lease. Training opportunities shall be provided to patients and native Hawaiians in management and interpretation of the settlement’s culture, historical, educational, and scenic resources (Public Law 96-565, Secs. 102, 107, December 22, 1980; General Lease No. 231, September 22, 1992).

## **Patient Community**

The Kalaupapa Hansen’s disease patients are guaranteed a well-maintained community, and they may remain at Kalaupapa for as long as they wish. The current lifestyle of these patients and their individual privacy will be protected (Public Law 96-565, sec. 102, December 22, 1980).

## **Reevaluation of Policies**

When there is no longer a resident patient community at Kalaupapa, the Secretary of the Interior shall reevaluate the policies governing the management, administration, and public use of the park in order to identify any changes deemed appropriate (Public Law 96-565, sec. 109, December 22, 1980).

## **Religious Structures**

The Secretary may stabilize and rehabilitate structures and other properties used for religious or sectarian purposes only if such properties constitute a substantial and integral part of the historical fabric of the Kalaupapa Settlement and only to the extent necessary and appropriate to interpret adequately the nationally significant historical features and events of the settlement for the benefit of the public (Public Law 96-565, sec. 105, December 22, 1980).

## **Visitation**

Kalaupapa National Historical Park will provide for limited visitation by the general public. So long as the patients may direct, the Secretary of the Interior shall not permit public visitation to the settlement in excess of 100 persons in any one day (Public Law 96-565, secs. 102, 106, December 22, 1980).

## **U.S. Coast Guard**

In 1980, the U.S. Coast Guard transferred 23 acres around the Molokai Light Station to the National Park Service. In 2006, the U.S. Coast Guard transferred the Molokai Light Station to the National Park Service, under the General Services Administration, but the U.S. Coast Guard continues to maintain the lens within the lighthouse and the historic lens.

## Long-Term Agreements

The Secretary of the Interior shall seek and may enter into cooperative agreements with the owners of property within the park pursuant to which the Secretary may preserve, protect, maintain, construct, reconstruct, develop, improve, and interpret sites, facilities, and resources of historic, natural, architectural, and cultural significance. Cooperative agreements shall be of not less than 20 years duration and may be extended and amended by mutual agreement. Cooperative agreements shall include, without limitation, provisions that the Secretary shall have the right of access at reasonable times to public parts of the property for interpretive and other purposes. No changes or alterations shall be made in the property except by mutual agreement (Public Law 96–565, sec. 105, December 22, 1980).

Each agreement shall provide that the owner shall be liable to the United States in an amount equal to the fair market value of any capital improvements made to or placed on the property in the event the agreement is terminated prior to its natural expiration or any extension thereof. The Secretary is permitted to remove such capital improvements within a reasonable time of termination of the cooperative agreement. Upon expiration of the agreement, the improvements thereon shall become the property of the owner, unless the United States desires to remove such capital improvements and restore the property to its natural state within a reasonable time for such expiration. Except for emergency, temporary, and interim activity, no funds shall be expended on nonfederal property unless such expenditure is pursuant to a cooperative agreement with the owner (Public Law 96–565, sec. 105, December 22, 1980). The lease and agreements are shown in the table below.

| Long-term Lease, Agreements, and Memorandum of Understanding,<br>Kalaupapa National Historical Park |                             |   |                 |
|---|-----------------------------|---|-----------------|
| Partner   | Instrument                  | Effective Term  | Term<br>(years) |
| State of Hawai'i Department of Hawaiian Home Lands  | General lease               | July 15, 1991–July 14, 2041                             | 50              |
| Hawai'i Conference Foundation   | Cooperative agreement       | Sept. 27, 2003–Sept. 26, 2023                           | 20              |
| State of Hawai'i Department of Health   | Cooperative agreement       | April 1, 2004–March 31, 2024                            | 20              |
| Catholic Church   | Cooperative agreement       | Aug. 23, 2003–Aug. 22, 2023                             | 20              |
| State of Hawai'i Department of Transportation   | Cooperative agreement       | Expired March 9, 2007; new agreement is in development. | 20              |
| State of Hawai'i Department of Land and Natural Resources   | Cooperative agreement       | Sept. 15, 2009–Sept. 14, 2029                           | 20              |
| R. W. Meyer, Ltd.   | Memorandum of understanding | April 27, 2012–April 26, 2017                           | 5               |

Note: Agreements will be updated upon expiration.

## **Board of Land and Natural Resources**

On August 16, 1989, the National Park Service entered into a cooperative agreement with the State of Hawai‘i, Board of Land and Natural Resources, for 20 years, entitled “Preservation of Natural and Cultural Resources, Kalaupapa.” The area under this cooperative agreement includes 1,330 acres of Kalawao County, within the boundary of the park, that have been established by the Governor’s Executive Order as the Pu‘u Ali‘i Natural Area Reserve. Other areas of Kalawao County have been designated as forest reservations under the care and control of the board. The area also includes 78 acres of land at Nihoa and parts of Pālā‘au State Park. The agreement authorizes the National Park Service and the Department of Natural Resources to engage in shared resource management activities in the area covered by the agreement. The National Park Service agrees to protect and preserve archeological sites, native ecosystems, threatened and endangered species, and water and air quality, and to conduct research and prepare plans for management, operations, preservation, and interpretation of these resources (Cooperative Agreement No: CA 8896-9-8004, August 16, 1989, renewed as Cooperative Agreement No. H8896090017 renewed for 20 years, September 15, 2009).

## **Department of Health**

On April 1, 2004, the National Park Service renewed its cooperative agreement with the State of Hawai‘i, Department of Health, entitled “Preservation of Historic Structures, Kalaupapa,” for an additional 20 years. Under the agreement, the National Park Service agreed to maintain utilities, roads, and nonmedical patient functions and maintenance of historic structures within the park, and the Department of Health at Kalaupapa agreed to provide food, housing, health care, and social services for the patient community. The Department of Health is also responsible for issuing visitor access permits and managing the landfill. Since 1980, infrastructure responsibilities within the settlement have been shared between the Department of Health and the National Park Service. Some of the Department of Health’s major infrastructure responsibilities have been transferred to the National Park Service in anticipation of the Department of Health’s future departure. The Department of Health may transfer ownership of historic structures to the National Park Service by mutual agreement at any time (Cooperative Agreement No. CA 8896-4-0001, dated March 30, 1984, and renewed as modification-0001, dated April 1, 2004).

## **Department of Transportation**

On March 9, 1987, the National Park Service entered into a cooperative agreement with the State of Hawai‘i Department of Transportation to coordinate operation and utilities for twenty years, entitled “Preservation of Natural and Cultural Resources, Kalaupapa.” The National Park Service agrees to assist in the preservation, protection, rehabilitation, restoration, interpretation, maintenance, and project planning regarding buildings and cultural features located on airport grounds (Cooperative Agreement No: CA 8896-7-8005, March 9, 1987). An update to the agreement is underway.

## **R. W. Meyer, Limited**

Seventy-two acres in the southwest corner of the park near the Kalaupapa Trailhead are privately owned by R. W. Meyer, Ltd. The park maintains a memorandum of understanding with R. W. Meyer, Ltd., for trail access, maintenance, and the planting of native plants (dated May 5, 2017, for five years).

### **East Molokai Watershed Partnership**

Kalaupapa National Historical Park entered into a memorandum of understanding with the East Molokai Watershed Partnership when it was formed in 1999 and updated in 2003 to protect the best remaining native forest watershed areas on the East Molokai Mountains. Key strategies employed by the partnership include reduction of feral animal populations; monitoring systems that help guide and document management actions; community outreach that engages, educates, and gains support of the local communities; continual development of the partnership through fundraising, capacity building, and landowner expansion; and involvement with fire (Molokai Fire Task Force) and island invasive species efforts (Molokai subcommittee of the Maui Invasive Species Committee). Land-based partners include Kamehameha Schools Bishop Estate, Kamalo Ahupuaʻa (3,566 acres); Kapualei Ranch, Kapualei Ahupuaʻa (1,680 acres); Kawela Plantation Homeowners Association, Kawela Ahupuaʻa (5,500 acres); State of Hawaiʻi Division of Forestry and Wildlife, Puʻu Aliʻi (1,330 acres) and Olokui (1,620 acres) Natural Area Reserves; National Park Service, Kalaupapa National Historical Park (10,800 acres); and The Nature Conservancy, Kamakou (2,774 acres) and Pelekunu Preserves (5,714 acres). Agency partners include Ke Aupuni Lokahi, Enterprise Community Governance Board (community, funder); Maui County (funder); Molokai / Lānaʻi Soil and Water Conservation District (technical assistance); U.S. Department of Agriculture Natural Resource Conservation Services (technical assistance, funder); U.S. Fish and Wildlife Service (technical assistance, funder); U.S. Environmental Protection Agency (technical assistance); U.S. Geological Services (technical assistance); and the State of Hawaiʻi Department of Health (technical assistance, funder).

### **Hawaiʻi Conference Foundation**

As part of the renewal of the cooperative agreement, a general agreement was executed between Hawaiʻi Conference Foundation and the National Park Service. This agreement allows for Hawaiʻi Conference Foundation and the Kanaʻana Hou and Siloama congregations to continue using the Hale Kahu structure and Wilcox Parish Hall. Both of these buildings are state-owned and eventually will be transferred to the National Park Service. The agreement also permits use of the buildings and grounds for up to 15 persons to participate in retreats. (Cooperative Agreement No. CA 8000-83, dated Sept. 26, 1983, and renewed as modification-0001, dated Sept. 27, 2003).

### **Roman Catholic Church in State of Hawaiʻi**

On August 23, 2004, the National Park Service renewed its cooperative agreement with the Roman Catholic Church in the State of Hawaiʻi, entitled “Preservation of Historic Structures, Kalaupapa,” for an additional 20 years. The National Park Service agreed to assist with the maintenance and operation of the St. Philomena’s and St. Francis Churches and the St. Elizabeth Chapel (Cooperative Agreement No. CA8896-4-0003, dated 22 Aug. 1984 and renewed as modification-0001, dated Aug. 23, 2004).

### **Church of Jesus Christ of Latter-day Saints**

The church and parish hall of the Church of Jesus Christ of Latter-Day Saints are privately owned by the church. No agreement exists with the church; however, the church contacted the National Park Service in February 2012 and expressed a strong desire to enter into a cooperative agreement.

### **Americans of Japanese Ancestry**

The AJA Buddhist Hall and Outbuilding are owned by Americans of Japanese Ancestry (AJA) Buddhist sect. The organization is a nonprofit organization. It was determined that a cooperative agreement is unnecessary at this time.



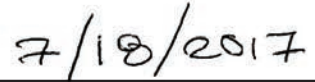
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**Pacific West Region Foundation Document Recommendation**  
**Kalaupapa National Historical Park**  
July 2017

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This Foundation Document has been prepared as a collaborative effort between park and regional staff and is recommended for approval by the Pacific West Regional Director.

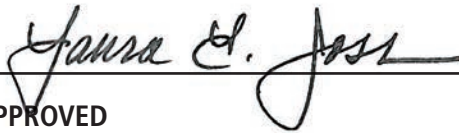




**RECOMMENDED**

Erika Stein Espaniola, Superintendent, Kalaupapa National Historical Park

Date





**APPROVED**

Laura E. Joss, Regional Director, Pacific West Region

Date



As the nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering sound use of our land and water resources; protecting our fish, wildlife, and biological diversity; preserving the environmental and cultural values of our national parks and historic places; and providing for the enjoyment of life through outdoor recreation. The department assesses our energy and mineral resources and works to ensure that their development is in the best interests of all our people by encouraging stewardship and citizen participation in their care. The department also has a major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.

KALA 491/139712  
August 2017

## Foundation Document • Kalaupapa National Historical Park



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