

Hulopo'e Beach Park Council Meeting

Lana'i Senior Citizens Center

Thursday, February 16, 2017

SUMMARY OF MINUTES

A. Beach Park Improvements

- Spigot in back of bathroom – causing some mud in the grass. At present, drainage is being monitored preventing any kind of mud and or flood
- Water Pressure from Shower – Community member suggested to increase shower water pressure for better rinsing.
No change will be made to this request as there was no other complaint but one.

B. Drone Use at Hulopo'e Beach Park

A resident felt their privacy was violated where a Drone was stalking and following them while walking along the beach side. What is the regulation control on the use of Drone at the Beach Park?

- George Purdy/Drone Services did a presentation to educate the council on the use of Drones. Went over frequently questions and safety guidelines.
- Websites provided: FAA Fact Sheet, AMA Rules, FAA Pat 107 and more...
- This subject will be further discussed in March meeting to determine if this is something we should add on to our Park Rules
- Rangers were asked to monitor and report counts of Drone use at Hulopo'e Beach Park

C. Reorganization of Board Members

- Introduced new Board Members, Butch Gima and Simon Tajiri representing LSG replacing Ron McOmber and Bryson Seghorn representing LHS.
- Due to Ron McOmber being challenged out of the Park Council, John is requesting from The Company in writing, what are they going to contest in the future and would like to know in advance. He, Jerry and Michelle does not have set terms.
- Request to further discuss this subject on our next month's meeting.
- Ron McOmber to provide archived minutes pertaining to The Company giving up one seat on the Council that was added to the community seats

D. Canoe Club Hold Area (Tuma Fa'utea)

Who is responsible for cleanup & organizing area?

- Area has been a mess and previous canoe owners that were told to remove their belongings at the canoe hold area are starting to complain
- Michelle will make contact with Saul Kahihikolo (Canoe Club) and the other adult group that paddles
- this will be further discussed in next month's meeting

E. Beach Park Activity

- Firework Display April 15, 16 & 17th, for 3 minutes each between 9:30pm and 10:30pm at Manele Bay.

ROE filed with Ekrim/Four Seasons.

Applicant also to submit application with Pūlama Lāna'i for Permit for Activities Application

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Board Members in Attendance:

Jerry Rabaino	Butch Gima	Ella Yumol	Tuma Fauatea
John Dela Cruz	Simon Tajiri	Michelle Fujie	Brysen Seghorn

Board Member(s) Absent:

Letty Castillo

Meeting called to order: 5:04pm

Approval of minutes: January 19, 2017 & February 16, 2017

Note... changes made in the 1/19/17 Ranger's Report deleting January 2017 boat count

Rangers Report

Provided by Michael Lopez

<u>Boat Count</u>	<u>Jan 2017</u>	<u>Dec 2016</u>
1. Trilogy	892	927
2. Expeditions Ferry	300	178
3. Paragon	82	205
4. Maui Nui	<u>51</u>	<u>119</u>
TOTAL	1,325	1,429

<u>Campers</u>	<u>Jan 2017</u>	<u>Dec 2016</u>
1. Non-Resident Campers:	130	98
2. Resident Sponsorship	73	58
3. Group Camping	<u>0</u>	<u>0</u>
TOTAL	203	156

<u>Four Seasons Kiosk</u>	<u>Jan 2017</u>	<u>Dec 2016</u>
1. Guest	3,900	7,281

OLD BUSINESS

- A. Spigot at foot wash station – causing some mud in the grass. Michelle following up with Mike as discussed in previous month's meeting. Mike is aware and working on a solution to prevent mud and water running on the grass. At present drainage is being monitored preventing any kind of mud and or flood
- B. Water Pressure from Shower – Michelle also following up from an audience suggestion to increase water pressure. Mike felt that no change will be made to this request as other people that use the shower are satisfied with the pressure.
- C. Drone Presentation by George Purdy (Michelle Fujie)
George Purdy with Drone Services Hawaii, a licensed Drone Operator did a presentation and went over the basic questions and Safety Guidelines.

Below was a question asked by a resident:

- o A resident felt their privacy was violated where a Drone was stalking and following them while walking along the beach.

Answer: The FAA governs the air space from the ground up regardless of whether the property owner is private, public corporate or government. Try to identify where the drone operator is located. Provide as much information to local law enforcement where this could be a situation of harassment. Drone Operator should fly with respect.

Drone Operator – before you fly over a private property, consider the impact of your flight on someone's privacy. Obtain the owner's permission if you plan to hover and take photos or video. If you don't have permission, the data you capture should not exceed what a smart phone could capture from a public viewpoint or area nearby.

What is recreational use of a sUAS (Drones)?

Recreational use is the operation of a sUAS for personal interests and enjoyment and not for compensation or hire. You may check with the FAA as to what constitutes commercial sUAS operation.

Rules & Safety Guidelines:

- o Users should follow community-based safety guidelines as developed by organizations such as the Academy of Model Aeronautics (AMA)
- o Users should fly no higher than 400 ft. and remain below surrounding obstacles when possible
- o Users must be able to see their sUAS at all times and use an observer to assist them if needed
- o Users should remain well clear and must not interfere with manned aircraft operations, must see and avoid other aircraft and obstacles at all times, must avoid any activity that would cause a manned aircraft pilot to divert from planned operations and must give way to all other aircraft at all times
- o Users must not intentionally fly over unprotected persons or moving vehicles and should remain at least 25 ft. away from individuals and vulnerable property

- Users must contact the airport or control tower before flying within five miles of an airport
- Users should not fly a UAS weighing more than 55lbs. unless it's certified by an aeromodelling community based organization
- Users should not fly in adverse weather conditions such as in high winds or reduced visibility
- Users should not fly under the influence of alcohol or drugs
- Users should ensure the operating environment is safe and the operator is competent and proficient in the operation of the sUAS
- Users should not operate on or fly over private property without first obtaining permission from the property owner and or tenant
- Users should not fly near or over sensitive infrastructure or property such as power stations, water treatment facilities, correctional facilities, heavily traveled roadways, government facilities, etc.
- Users should not conduct surveillance or photograph persons in areas where there is an expectation of privacy without the individual's permission (See AMA's privacy policy)
- Students from age 16 may get the Part 107 ID Card and fly professionally
- Once you lose your license due to illegal action you will not get it back
- Federal Law restricts UAS flying below 3000 AGL
- Manele is 3 miles from Heliport
- Penalties are up to \$27,500. Criminal up to \$250,000 or imprisonment up to 3 years for commercial or as a hobby

Websites:

- FAA Pat 107: https://www.faa.gov/uas/media/Part_107_Summary.pdf
- Register: <https://registermyuas.faa.gov/>
- Become a pilot:
https://www.faa.gov/uas/getting_started/fly_for_work_guinness/becoming_a_pilot/
- Request Waiver: https://www.faa.gov/uas/request_waiver/
- AMA Rules: <http://www.modelaircraft.org/documents.aspx>
- House Bill: http://www.capitol.hawaii.gov/session2017/bills/HB1478_pdf
- Alaska Rules:
<https://www.commerce.alaska.gov/web/Portals/6/put/UAS%20oPERATOR%20GUIDELINES%2010-1-15.PDF>
- FAA Fact Sheet: https://www.faa.gov/news/fact_sheets/news_story.cfm?newsId=18297

Butch G: In relation to the incident from the concerned resident, Butch asked George if the council needs to consider Beach Park specific rules or the existing laws and regulations cover what we're concerned about?

George P: For cultural purposes, we need to be more specific. National Law does not provide, it's just a base line. Every place is different.

Butch G: Requested from George some options we may consider.

This question was not answered by George

Also asked by Butch if Council will be taking further action to this subject? As answered by John D.C., yes, this is why we have a guest speaker today.

Simon T: Suggested that instead of creating restrictions on Drones at the Beach Park, to start monitoring and having the operator's sign in with the Rangers

George P: Suggested to also have a designated area at the Beach Park for Drones

Jerry R: Two questions asked: 1) if we create a "No Fly Zone" at the Beach Park but once the drone passes the vegetation line, that would be considered an out of the "No Fly Zone" for it's on the state area? Answer: Yes, and as long as the operator is following the rules, there should be no issues and or restrictions. 2) Events at the hotel for example a golf tournament – would the operator still need to apply? Answer: yes

Michelle F and

Tuma F: Both Michelle and Tuma proposed to council that this is a lot of information to absorb and would like to further review this on our next meeting. Also made clear, we already have an existing rule in place that we just revised and would recommend not amending it. Very much in favor of having the Park Rangers have some knowledge of the Drone Rules, monitor and enforce. Same concept as the Dog rules on the beach.

Ella Y: Asked if it would just be better to just contact the law enforcement if there would be a situation at the Beach Park?

George P: Says that it's only been 5 months and there are no laws in any state yet and is currently working with the State of Hawaii Legislature. Would suggest having the Rangers talk to the operator(s) and ask them questions if need to.

Michelle F: Says the purpose of this presentation is to educate ourselves and to address this person's concern and document it in our minutes. Should there be other concerns, we want to ensure it's addressed and determine if it's something the council should make a move on.

D. Reorganization of Board members (Michelle Fujie)

Michelle F: Introduced new Board Members, Butch Gima and Simon Tajiri representing LSG replacing Ron McOmber and Bryson Seghorn representing LHS.

Ella Y: As discussed in last month's meeting, Ella asked Ron McOmber if he could provide copies of the minutes that covered The Company giving up one seat on the Council that was added to the community seats as he said he would.

Ron McO: Says he has copies of all minutes in the past and will compile and provide us a copy.

John D.C.: Stated his concern that Ron McOmber is no longer a Board Member due to Pulama Lana'i questioning why he was still on the board. Yes, the MOA states the terms are 1-3 years on a staggered basis and a maximum of 3 years, but there's a lot on the MOA that was not enforced. John is requesting from The Company in writing, what are they going to challenge in the future and would like to know in advance. Said that he, Jerry and Michelle does not have set terms. Are they going to be challenged next? He would like to know. Request to further discuss this subject on our next month's meeting.

Ron McO: Ron expressed his commitment to the Beach Park Council all these years and will continue to attend these meetings for as long as he can. Also thanked the other members for coming out as we had some difficulty finding someone to sit on the board. He reminded everyone that Pulama should not feel threatened by LSG. LSG invented the Park Council and should be proud we have a board.

NEW BUSINESS

F. Canoe Club Hold Area (Tuma Fa'utea)

Tuma F: Brought up concerns of the Canoe Club Hold Area. Several months ago, Canoe Club did a presentation of their Canoe Club and how it benefits the kids and the community as well. Canoe owners were told to remove their belongings and only the Canoe Club were allowed to leave their canoes and maintain the area. A Canoe owner named Mike commented to Tuma and complained why they were kicked out and this place is still a mess. Canoe Club has not been maintaining and organizing the area. Who is responsible in cleaning up?

Michelle F: Michelle Fujie who is the MIL Canoe Paddling Coach ensured all that during their canoe season, they made sure they kept the place cleaned and organized. There are tires there but they are part of their training and to hold up the canoe. There's other adult paddlers that go out in the early morning and afternoon and will make contact with them.

Mike L: Suggest having a written agreement with the Canoe Club and the Rangers will monitor it from there.

Jerry R: Said that during Ed Jensen's time with the board, it was proposed by The Company for the canoes to be moved back and stored behind the bathroom. Nothing went further with this proposal.

Michelle F: Michelle will also reach out to Saul Kahihikolo to inform him of who is to maintain the area.

OTHER

G. Audience Stan Ruidas: Announced to inform the Council there will be another Firework Display on April 15, 16 & 17 for 3 minutes between 9:30pm and 10:30pm. The display will be where the umbrellas are located. The church kids will do the cleanup. An ROE has been submitted for approval with Ekrim at Four Seasons.

Lesley K: Lesley instructed to also submit a Permit Application with Pulama Lana'i.

John D.C. Brought up a situation that Nick Palumbo mentioned to the Council in January's meeting. Said they were swimming in the water before the fireworks were to go off and was asked to get out of the water. Felt disrespected the way it was said to him.

Audience Stan Ruidas: Said it's critical that no one should be in the water. If the Fire Marshall was present, he would've shut down the display.

Michelle F: Wants to ensure the following will be followed for this Fireworks Display:

- Debris will be cleaned up
- notify the public of this event

Lesley K: Pūlama will put up a flyer two weeks prior of this event.

Michelle F: Motion to adjourn meeting at 6:30pm