

February 24, 2002  
Agenda Item IV.D

To: KIRC Commissioners

From: Michael K. Nāho‘opi‘i, Executive Director

Subject: Request by the Protect Kaho‘olawe ‘Ohana to add and approve Ala Loa Project access dates for 2022.

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**RECOMMENDED MOTION:**

Pursuant to HAR §13-261-13 and Section 8 of the Palapala ‘Aelike Kahu‘āina, approve the proposed additional access dates for work on the Ala Loa Project for the 2022 calendar year as requested by the Protect Kaho‘olawe ‘Ohana (PKO) as KIRC approved and authorized activities.

**BACKGROUND & SUMMARY:**

At the July 13, 2012, Stewardship Working Group meeting and as reported at the August 10, 2012, Commission meeting, the KIRC and PKO have agreed to use the following terminology:

- **Authorized Activities** – Activities permitted within the Reserve as specified in HRS 6K.
- **Stewardship Agreement Authorized Activities** – Activities approved in the Stewardship Agreement Section 2.
- **KIRC Approved and Authorized Activities** – Activities that have been formally approved by Commission action taken at a duly noticed public meeting as meeting the criteria of Section 8 of the Stewardship Agreement.

As approved at the February 16, 2012, Commission meeting and amended at the December 17, 2012, and February 16, 2017, Commission meetings, the following table is a summary of “KIRC Approved and Authorized Activities.” Continued approval of these activities is contingent upon satisfactory compliance with the coordination and reporting requirements as specified.

The Palapala ‘Aelike Kahu‘āina signed on June 13, 2019, amended Section 8 so that “volunteers acting in a KIRC approved capacity may be regarded as volunteers under chapter 90 HRS. The Department of the Attorney General has the sole authority to determine whether volunteers will receive representation from the Department of the Attorney General for purposes of chapter 662 HRS. Persons conducting only religious and spiritual activities, including but not limited to those listed in Section 6 of this agreement, might not be deemed volunteers for the purposes of Chapter 90, HRS, as each determination will be made on a case-by-case basis.”

There was no request for any changes to the list of KIRC Approved and Authorized Activities.

PKO Access Coordinator Kylee Mar submitted the following dates for work on the Ala Loa Project which are highlighted in yellow.

*Memorandum*

PKO Ala Loa Access Dates for 2022

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Table 2: PKO Access and Activities Request for 2022

<b>Month</b>	<b>Dates</b>	<b>Notes</b>
January 2022	January 13 – 17	Makahiki Prep (Honokanai`a)
February 2022	February 9 – 14	Closing Makahiki (Hakioawa to Honokanai`a)
March 2022	March 13 – 16 March 16 – 19	Spring Break (Hakioawa) Spring Break (Hakioawa)
April 2022	March 31 – April 3 April 14 – 17	Hakioawa Hakioawa
May 2022	May 19 – 22 May 27 – 30	Hakioawa Kua Training (Hakioawa)
June 2022	June 9 – 12 June 17 – 20	Hakioawa Ke Ala Polohiwi a Kāne (TBD)
July 2022	June 30 – July 3 July 7 – 10 July 14 – 17	Hawaiian Canoe Club (Ahupu) Ala Loa (Ahupu, Kuheia) Hakioawa
August 2022	August 11 – 14 August 18 – 21	Hakioawa Ala Loa (Ahupu, Kuheia)
September 2022	September 8 – 11 September 22 – 25	Hakioawa Ala Loa (Ahupu, Kuheia)
October 2022	October 13 – 16 October 13 – 16 October 21 – 24	Hakioawa Ahupu, Kuheia Kaholokalani (Honokanai`a)
November 2022	November 4 – 8 November 10 – 13	Opening Makahiki (Hakioawa) Ala Loa (Ahupu, Kuheia)
December 2022	December 8 – 11	Hakioawa
January 2023	January 5 – 8 January 13- 17	Hakioawa Makahiki Prep (Honokanai`a)
February 2023	February 15 – 20	Closing Makahiki (Hakioawa to Honokanai`a)

**METHODS & DISCUSSION:**

The highlighted dates were submitted after the PKO access dates approved on December 13, 2021.

*Memorandum*

PKO Ala Loa Access Dates for 2022

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**LEGAL AUTHORITY:**

Pursuant HRS §6K-6(1), the KIRC shall establish criteria, policies, and controls for permissible uses within the island reserve.

Pursuant HRS §6K-6(5), the KIRC may enter into curator or stewardship agreements with appropriate Hawaiian organizations such as the ‘Ohana.

Pursuant to HAR §13-261-13, the KIRC will allow activities for the preservation and practice of all rights customarily and traditionally exercised by native Hawaiians for cultural and subsistence purposes; allow activities which are educational, and which relate to native Hawaiian cultural practices or to the natural or cultural resources of The Reserve.