



CRAIG NEFF  
*Chairperson*  
AMBER NĀMAKA WHITEHEAD  
*Vice-Chair*  
MILTON M. ARAKAWA, A.I.C.P.  
COLETTE Y. MACHADO  
DAVIANNA P. MC GREGOR, Ph.D  
KA'IULANI MURPHY  
LAURA H. THIELEN

Michael K. Nāho'opi'i  
*Executive Director*

*KŪKULU KE EA A KANALOA*  
**KAHO'OLAWA ISLAND RESERVE COMMISSION**

811 Kolu Street, Suite 201, Wailuku, HI 96793  
Telephone (808) 243-5020 Fax (808) 243-5885  
Website: <http://kahooolawe.hawaii.gov>

**MINUTES MEETING**

**Thursday, October 28, 2010**

9:00 am

Office of Hawaiian Affairs  
Board Conference Room, 5<sup>th</sup> Floor  
711 Kapi'olani Boulevard  
Honolulu, Hawaii

**COMMISSION MEMBERS**

- PRESENT:** Craig Neff, Chairperson; A. Nāmaka Whitehead, Vice-Chair; Milton Arakawa; Colette Y. Machado; Davianna P. McGregor, Ph.D.
- EXCUSED:** Ka'iulani Murphy; Laura Thielen
- KIRC STAFF:** Michael Nāho'opi'i, Executive Director (ED); Michele McLean (arrived 10:00 am), Deputy Director (DD); Ka'ōnohi Lee, Administrative Officer (AO); Rowena Somerville, Deputy Attorney General (DAG); Kahale Saito (CRPC); Terri Gavagan, Commission Coordinator (CC)
- GUESTS:** Eric Brundage ,Zapata Engineering; Peter Mills, Ph.D., UH-Hilo; Steven Lundblad, Ph.D. ,UH-Hilo; Keoni Fairbanks, Protect Kaho'olawe 'Ohana(PKO); Manuel Kuloloia, Kylee Omo (PKO)

**I. CALL TO ORDER**

Chair Neff called the meeting to order at 9:20 am. A quorum was established with five commissioners present.

**II. APPROVAL OF AGENDA**

**MOTION:** Commissioner McGregor moved to approve the agenda. Commissioner Arakawa seconded the motion.

**ACTION:** Motion approved by all Commissioners present.

**III. APPROVAL OF MINUTES**

Approval of minutes for 30 September 2010 meeting was deferred.

**IV. COMMUNITY and PUBLIC COMMENT**

Members of the public introduced themselves: Eric Brundage from Zapata, Inc., Manny Kuloloia, Peter Mills from UH Hilo, Steven Lundblad from UH Hilo. No comments were made.

**V. ACTION ITEMS**

**A. Review and Approve a Research Access Request from the University of Hawaii-Hilo to Conduct an Island Wide Geochemical Analysis of Kaho‘olawe Basalt Adze Material and Resources**

Dr. Mills and Dr. Lundblad gave a slide presentation in conjunction with their request for permission to do analysis of adze material. They would use an energy dispersive x-ray florescent spectrometer located at UH-Hilo that provides a completely nondestructive analysis. . There is no burning or scratching—the artifact is basically the same going in and coming out. They wish to see if the adze material found on the Big Island comes from Kaho‘olawe, particularly Pu‘umōiwi. There is evidence that Hawaiians traveled among the islands, but it is not known which. Their goal is to find culturally appropriate ways to conduct this type of research. Several students working with the researchers are Native Hawaiian. They hope to build this into an educational program for students to look at the *ko`i* sources that possibly existed on Kaho‘olawe. They propose to take rock samples, not artifacts, each about the size of a golfball, and analyze them without polishing (taking off the weathered surface). After analysis the samples would be returned to the location it was taken from. They would like to follow appropriate cultural protocol.

KIRC Cultural Resource Project Coordinator Saito stated Dr. Mills met with the Chair Neff and herself regarding this request. It is her opinion that this research would be beneficial for the island and cultural practitioners. Dr. Mills conveyed that he is willing to participate in any appropriate cultural protocols but did not want to impose himself. It is important to understand how resources travelled around the pae ‘aina. This is evident in the adze material and the amount of workshops that are on the island. Our kupuna came from the various islands to harvest and take back adze material to benefit their communities. It is important as Kanaloa is seen as a place of learning and will provide an opportunity for more Hawaiians to become involved in archaeology.

Chair Neff noted that public testimony was received from Manny Kuloloia which was entered into the record.

Discussion: Commissioner Machado asked who was in the Cultural Working Group that supports Dr. Mills’ request. KIRC staff stated Chair Neff and CRPC Saito. ED Nāho‘opi‘i clarified that there are no official members of the Cultural Working Group, it is usually a Commissioner and a KIRC staff person. Commissioner Machado asked how the KIRC handles a legitimate concern or objection from a Honua‘ula descendant of Maui about a research request. Commissioner Machado stated that **there has been unfair treatment to Uncle Les and his family and their legacy with regard to the Cultural Plan** and asked why the Kuloloias were not included. ED Nāho‘opi‘i responded staff had posted the agenda from the last meeting and had sent Manny a copy of the application as he had requested. KIRC staff received his written testimony yesterday. Based on the written testimony, KIRC staff’s is now recommending that this request be tabled and presented at a later meeting when concerns are addressed. Commissioner Machado stated that the larger issue is the process that allows input from the public and more specifically the Maui people who raised their concern during the review of the Cultural Plan. ED Nāho‘opi‘i needs to establish a process that will improve the way the KIRC gathers input from Maui people and the public.

DAG Somerville stated that this application started as a Right of Entry Permit Request for research purposes. If it is deemed to be a cultural access (to exercise traditional and customary rights and practices) section 13-261-11(b) of the Hawaii Administrative Rules (HAR) states that the application shall be approved or disapproved by the commission after review and consultation with cultural practitioners. Commissioner McGregor stated that the Cultural Working Group had provided a cultural review which was lacking in the previous two requests. DAG Somerville responded that HAR section 13-261-11 does not require non-cultural access requests to have a cultural review. To require cultural review would put an additional requirement on the researchers that is not currently part of the rules. Commissioner McGregor responded that Kaho‘olawe is a cultural reserve which means that the research needs to be culturally appropriate and requires a cultural review. If the rules do not require it then the rules need to be changed.

It was decided that the families from Honua‘ula will be included in future reviews.

It was noted that the KIRC collected geological samples in the past that were returned to their original areas. ED Nāho‘opi‘i recommended that this action item be deferred to address the public’s concerns and that the Cultural Working Group be expanded to include Maui ‘Ohana. He noted that the public testimony was received only a couple of days ago.

Commissioner Arakawa asked how the spectrometer works and how the samples would be used. Dr. Mills said the rock does not get heated; x-rays are bounced off the sample and readings are used to determine its make up. The polishing requirement has been removed from this proposal—it may have been in the original letter sent to SHPD. They do not intend to polish the samples at all. Dr. Mills added that he would like to have the time to talk to the cultural descendants. Dr. Lundblad also added that they are not experts on Kaho‘olawe and that there needs to be discussion on how to do the work in a culturally appropriate way.

Commissioner Machado directed ED Nāho‘opi‘i to be begin to look at standards, practices and triggers for cultural review of applications for access when appropriate and to expand the Cultural Working Group to include descendants of the Honou‘ula district in reviews.

Commissioner McGregor asked why Sinton’s (John Sinton) database information of basalt material from Kaho‘olawe is not adequate. Dr. Lundblad used research at the Mauna Kea quarry as an example. John Sinton’s data base only has two samples from the area but the area is huge and there is much variation. If only that data base were used, they might miss a connection of an artifact to Mauna Kea. By sampling more items nondestructively they are able to see the whole variation. According to previously published geological information about Kaho‘olawe there appears to be enough geological variation on Kaho‘olawe and it would be important to have many appropriately referenced samples.

Vice Chair Whitehead asked how the nonpolishing of the samples would affect the results of their analysis. Dr. Mills responded that it would be hard to tell until the surfaces of the samples are seen. It would depend on the amount of weathering on the

surface. It definitely would not be as good as if the surfaces were polished. Vice Chair Whitehead asked why the adze flakes already found cannot be used. Dr. Mills responded that it is a question of context and that the geochemistry of the area needs to be known. Vice Chair Whitehead stated that she is very supportive of this proposal of nondestructive analysis and is uncomfortable with how this proposal is being treated especially since the researcher has consulted with the cultural working group. Commissioner McGregor agreed with Vice Chair Whitehead but questioned the process when public testimony is in disagreement with the staff's assessment. ED Nāho'opi'i responded that the Commission has a choice to accept the public testimony and approve, defer, or reject the proposed request.

Mr. Kuloloia asked why the families from Honua`ula were not consulted. He appreciated Dr. Mills' and Dr. Lunblad's willingness to defer action on their request and talk with them. He stated that the SHPD determination email is egregious. He went to the celebration at UH marking the 20<sup>th</sup> anniversary of the stopping of the bombing and heard that resources were being taken off the island. This makes it difficult for him to defend the credibility of the PKO. He is not representing other Honua'ula families, just his. He thanked Commissioner Machado for bringing up his concerns. He feels that maybe the packet with the application was purposely sent out within 48 hours to prevent entering his testimony into the record. He has little trust, although he still has aloha for the KIRC. He offered to come to Hilo along with his dad for a presentation. He may ask questions that the KIRC may not want to ask and thanked Dr. Mills for his presentation.

It was suggested that action be deferred to address all of Manny's questions and that staff and the researchers should meet with either Manny or Uncle Les to address their concerns.

DAG Somerville asked if the SHPD approval was only by e-mail. The researchers stated that they had received only an e-mail. She stated that the approval should be made through a determination letter. Commissioner McGregor suggested that Theresa Donham be contacted as she is very knowledgeable about Kaho'olawe and has worked very closely with Uncle Les and Manny. If she approves it perhaps then Uncle Les and Manny would feel more confident about the request.

DAG Somerville stated that if the request is deferred it may be helpful for future research requests to include additional requirements:

- cultural impacts
- consultation with cultural descendants (if applicable)
- SHPD comments (if applicable)
- OHA comments (if applicable)
- EA/EIS considerations

Commissioner McGregor suggested that the phrase "cultural impact/contribution" be added to page 2B of the Right of Entry Permit Request and that the cultural staff determine who needs to be consulted. Vice Chair Whitehead brought up DAG Somerville's suggestion that the phrase "cultural impact" be added to page 2B of the Right of Entry Permit Request. Staff stated that both would be addressed on the permit in the KIRC staff memo which accompanies the researcher's application. Staff will

create a list of cultural practitioners to consult if the Cultural Program determines that a cultural review is necessary. Kuloloias, Kukahikos and PKO will be on the list.

Action on Review and Approve a Research Access Request from the University of Hawaii-Hilo to Conduct an Island Wide Geochemical Analysis of Kaho'olawe Basalt Adze Material and Resources deferred pending resolution of public concerns.

**B. Review and Approve the Posting of an Invitation for Bids for Helicopter Transportation Services for Personnel and Cargo**

DD McLean stated that the memo in the Commissioners' packet contains figures based on the estimated value of the contract's current pricing.

The reason for rebidding this contract is that the Department's procurement preference is not to extend service contracts but rather to issue bids for new contracts KIRC typically does contracts for one year with two time extensions.

**MOTION:** Commissioner McGregor moved to approve the posting of an invitation for bids for helicopter transportation services for personnel and cargo for the period February 1, 2011 through January 31, 2012. Commissioner Machado seconded the motion.

**ACTION:** Motion approved by all Commissioners present.

**C. Review and Approve Proposed Amendments to Governor's Executive Order No. 3963 Setting Aside Lands in Kamaole, Wailuku, Maui TMK: (2) 3-9-004: Por. 001 & 061**

This is a follow-up to the CIP report from last month and the discussions KIRC has had with the State Land Division. They are requesting that a letter be sent from the Commission to the DLNR Chair asking that modifications be made to the Executive Order (EO). The letter will be forwarded to the Land Division to make the requested modifications.

Commissioner McGregor stated that PKO volunteers do not need to be singled out as a justification for this proposal. Her amendments simplify it and keeps it a purely KIRC function since PKO access participants are considered KIRC volunteers. DAG Somerville responded that the second proposed amendment was added based on what Chair Neff wanted: to transfer control and management of the premises to the sovereign native Hawaiian entity. The first proposed amendment is based on other submittals to the DLNR Chair. The last sentence in the second paragraph "Individuals or groups shall have the requisite permits and insurance, prior to using the premises." is in direct response to DLNR Chair Thielen's concerns.

Commissioner McGregor submitted proposed revisions to the letter. It was decided to add an additional sentence to the second paragraph to read "Individuals or groups shall comply with all relevant rules, laws, policies and regulations." It was suggested that the first paragraph of the original letter be retained, and to replace the second and third

paragraphs with the agreed to revisions submitted by Commissioner McGregor.

Chair Neff will sign the letter and it will be sent to DLNR Chair Thielen to route to the Land Division for processing. Staff is attempting to get the language changed while DLNR Chair Thielen is still in office. If not, it will have to wait until the next Chair is appointed.

DAG Somerville read the amended letter (attached to the minutes).

**MOTION:** Commissioner McGregor moved to approve the letter requesting Amendments to Governor's Executive Order No. 3963 Setting Aside Lands in Kamaole, Wailuku, Maui TMK: (2)3-9-004: Por. 001 & 061 as amended. Commissioner Arakawa seconded the motion.

**ACTION:** Motion approved by all Commissioners present.

Commissioner Machado was excused at noon.

## **VI. ADMINISTRATIVE BUSINESS**

### **A. Executive Director's Report**

**Budget, Finance and Funding:** ED Nāho'opi'i reported there were no new grants or changes to existing grants during this period. DOH seeks to support projects that are more visible to the public and smaller projects rather than one large project like KIRC's proposal. They said that Staff could reduce the scope of its application package and resubmit. If there is additional money unspent from this year's projects, DOH will contact the KIRC and also advised the KIRC to seek other funding sources. All KIRC programs are currently under budget for the spending period.

**Plans, Policies and Procedures:** ED Nāho'opi'i reported that the transition packet for the DLNR Chair should be ready by the end of next week. It will consist of a letter from the KIRC Chair to the DLNR Chair with attachments of how KIRC does its business (i.e. budget execution policies, personnel management exemptions, delegations of procurement exemptions). Staff will also participate in completing the department's transition packet that includes division summaries, budget summaries, and educational issues. Chair Thielen has indicated that she would be willing to sign a separate transition packet for KIRC. ED Nāho'opi'i will forward a copy of the template being used to the Commissioners and asked the Commissioners to respond with suggestions.

**Administration, Staffing and Personnel:** KIRC will be receiving two year-long interns for FY 11—Darrell Planas and Amanda McAllister. Chair Neff asked about the training plan for interns. ED Nāho'opi'i responded that the training plan is being put together.

ED Nāho'opi'i also reported that DAG Somerville will be assigned to DOT by her supervisor effective November 16, 2010. According to KIRC policy, the Commission fills the AG's position. Staff needs to confirm with the AG supervisor that there will be coverage at the Commission meetings. Normally they cover only Land Board and Water Commission. An option is having an AG part-time—to pay for coverage of the Commission meetings. Before anything is decided it will need to be brought before the

Commissioners for a final decision. It is possible that DAG Somerville will still do some KIRC work during the transition. ED Nāho‘opi‘i will speak with the AG’s office about viable options and will contact Chair Neff. The AG’s office is currently short of staff which is why DAG Somerville is being transferred. The legal representative must be from the AG’s office. The AG’s office will supply legal opinions but is not obligated to provide legal representation at each Commission meeting. It is unknown at this time if it will be one attorney or a pool of attorneys assigned to the KIRC. Currently the KIRC pays for full-time coverage. Commissioner Arakawa noted that it has been an advantage to have full-time legal counsel who understands the KIRC from a continuity standpoint.

Strategic Planning: ED Nāho‘opi‘i reported that the media access was a success. Staff obtained video clips of KITV and KGMB pieces. Commissioner McGregor agreed it went very well and it was a good partnership between the KIRC and PKO. Several people attended the commemoration at UH because of the access coverage. The most comprehensive coverage according to Commissioner McGregor was Terri Okita’s. The Commission was referred to the articles from The Maui News and the front page article in The Star Advertiser. Thank you notes were sent to all who participated. The hope is that the publicity generated can be used to assist with fund raising. Staff met yesterday with the Hawaii Community Foundation and Island Conservation for the faunal restoration program. Commissioner McGregor suggested that the media access coverage be included in the legislative package.

Capital Improvement: A letter requesting amendments to EO was reviewed earlier under action item V.C. and was approved with revisions.

There was a break from 11:35-11:45.

#### **B. Review and Acceptance FY2011 Expenditure Report for August 2010**

ED Nāho‘opi‘i reviewed the Budget Report, Status of Solicitations and Contracts.

**MOTION:** Commissioner Arakawa moved to accept FY 2011 Expenditure Report for September 2010. Commissioner McGregor seconded the motion.

**ACTION:** Motion approved with all Commissioners who were present.

It was decided the workshop be heard after Program Status Updates, FYI and lunch.

### **VIII. PROGRAM STATUS UPDATES**

- 1. Restoration Program:** Staff met with Anna Palomino regarding a recovery plan for the propagation of *Kanaloa kahoolawensis*. One issue is who receives seeds and what can be done with them. This will be addressed in MOUs with the growers. MOUs will state the purpose of the propagation is for on-island restoration. No commercialization would be involved. Vice Chair Whitehead asked about seed storage. ED Nāho‘opi‘i responded that a secondary source located on Maui is being considered in the event of a natural disaster.

This week, Island Conservation was on island working on the management plan which would: 1) help KIRC get cost estimates for the cat eradication program, 2) be presented to potential funders, and 3) help KIRC address potential environmental compliance issues. A progress report regarding the monitoring and control of feral

cats was also included in the packets. There is evidence of cat predation from pueo remains. There was discussion about the possibility of training PKO members to use the cat traps at Hakioawa when the eradication program is in place.

The KIRC should be seeing reimbursement of approximately \$30,000 from NRCS for work completed in Kealialalo and Kaukaupapa wetlands that was inspected by NRCS personnel. A staff summary on the "Streamflow, Suspended-Sediment, and Soil-Erosion Data from Kaulana and Hakioawa Watersheds, Kaho'olawe, Hawai'i, 2006-2010" report written in conjunction with USGS was made. It is too soon to see any significant changes in siltation in these streams, but the erosion pins show less erosion in areas that have been revegetated. It was determined that there should be a link to the USGS report on the KIRC website.

2. **Ocean Program:** The Kanapou Cleanup on September 25, 2010 was discussed. Prior to the cleanup, staff went out to set up moorings at Kanapou. Ocean Staff sighted a whale shark after the Kanapou operations. The site visit to Keoneuli by NOAA representatives was discussed as well as staff's participation at the Festivals of Aloha on Lana'i as part of outreach efforts. Transportation was paid for by the Festivals of Aloha. There were also booths manned by staff on Maui at Ulupalakua and Wailea.
3. **Cultural Program:** CRPC Saito reported on the follow-up visit to Oawawahie on iwi kinolau o Kanaloa but was unable to locate any remains. PKO will continue to monitor the bay. On the same trip the ki'i pōhaku which has a petroglyph of an ulua hook was documented and photographed. Staff is determining the best method to protect it. Once the determination is made, the staff will write a Site Treatment Plan. A temporary shelter will be constructed to protect the pōhaku.

Saito reported that she and Ocean Staff attended the 'Aha Moku meeting facilitated by WESPAC. Uncle Les also attended. There were questions from fisherman about the Ocean Program. She referred to the packet handout regarding the break-out sessions and the information provided in her Aloha 'Aina document. It was her opinion that the KIRC has already addressed the five points discussed at the meeting. Both she and KIRC Ocean Resources Specialist Dean Tokishi mentioned this at the meeting.

There was a report on the Piko o Wākea training which occurred during the autumnal equinox. Participants included Commissioners Neff, McGregor and Whitehead, former Commissioner Aluli, PKO representative Momi Wheeler and Saito. There was input from Auntie Pua regarding the plan. Commissioner Whitehead and Saito came up with seven 'ōlelo no'eau. Another training session is planned for the Ao Polohiwa a Kanaloa (Winter Solstice) to provide the same opportunity for KIRC Staff and PKO Kua. During the training, place names were reviewed. The list was included in the Commissioners' packets and was distributed to KIRC Staff and PKO Kua. The list will be distributed to the descendants of Honua'ula for input. After consultation, the names on maps will be changed and signs will be posted. It was also decided during this training that Pōkaneloa would need to be moved. A site treatment plan needs to be developed. Saito has spoken with Kelly Ueoka from Cultural Surveys. She has agreed to help and has been in contact with Theresa Donham.



It was also decided that Chair Neff and Commissioner McGregor would give reports at the next meeting on the Piko O Wākea training.

- 4. Reserve Operations Program:** DD McLean reported moving the moorings for the Kanapou Cleanup and preparing moorings for the voyaging canoes. Operations is working with the Ocean Staff for the Kanapou Cleanup transport. Staff contemplated it being a week long activity—Monday through Thursday based out of Honokanai‘a. It was determined that a hike would be too hard. Staff will try overnight camping with a small group in November to see if it provides more cleanup time. The group will bring in their own food and water. Operations will bring additional water. More man hours need to be spent on the beach to clean entire beach as required in the grant.

Chair Neff acknowledged that there is an ‘Ohana Post-Huaka‘i report along with Saito’s report.

## **FYI**

The Commission asked for more information about the Sangham Foundation. It was explained that the Sangham Foundation is a private family foundation.

The collection of Media Access video access clips was shown during lunch from 12:40-1:15.

## **VII. WORKSHOP – Continuation of Discussion on Budget Planning FY 2011-2013**

ED Nāho‘opi‘i referred the Commission to the KIRC Budget Planning Document FY2011-2013 dated October 28, 2010 which was distributed to the Commissioners prior to the meeting.

Specifics about the impact of implementing “Scenario B” (partial closure of Base Camp) on programs based on a \$2 million budget were reviewed:

- 1) Ocean Program: There would be a reduction in the frequency of monitoring. Staff’s recommendation is to concentrate on the monitoring of harvested species such as opihi, moi, papio, etc. There is marine debris clean up obligations. There will be fewer aerial surveys. Staff would like to do limu sampling to be aware of potential invasive limu.
- 2) Cultural Program: There would be reduction in the ability to do site stabilization—it will be based on the availability of equipment. Staff’s recommendation is to concentrate on burials. Saito added that the limited use of transportation on the island would affect site stabilization, implementation of the Culture Plan training, and ceremonies such as the Kaholo Ka Lani Ceremony. PKO would need to help with these activities.

ED Nāho‘opi‘i suggested that the activity on island could be coordinated similar to the closures by the Navy. This could provide PKO support if needed during their accesses. Chair Neff cautioned that safety and communications issues need to be addressed.

- 3) Restoration Program: There are NRCS obligations. Staff suggested the focus should be on faunal restoration with planting and monitoring. The goal would be to keep planting to reduce the hard pan. The cat eradication program would not be undertaken until a dedicated source of funding is obtained; the funding would include Base Camp running for at least six months straight. Staff wanted to accomplish several projects if Base Camp was closed, but it would still require boat runs, etc. Commissioner McGregor stated this is not an exercise in cut backs but an exercise in doing the budget so that the KIRC can get funding for these programs. It should be an incentive to raise funds.
- 4) Administration and Operations: ED Nāho‘opi‘i said it is difficult to find funding for infrastructure—organizations are willing to give funding for seeds, equipment, etc., but not for administrative and operational support. The focus of the administrative staff will be to maintain office hours; however, response time would be longer with fewer staff. There will be fewer publications. Other recommendations included fewer Commission meetings and selling equipment such as the vehicles and the Hakilo. If the KIRC does sell equipment it has the authorization to keep the money unlike other state agencies.

Issues of safety, security and how to bring Base Camp up and down were discussed. There is a concern about what to leave at Base Camp to support a group and the possibility that the equipment may be stolen or vandalized causing cancellation of activities. Eric Brundage of Zapata added that limiting the amount of time on-island to ten days increases the chances of Staff finding items inoperable, as no routine maintenance will occur. The problems will worsen the longer camp is in this status. Chair Neff responded that maybe it is a matter of adjusting the support to the activity—maybe there is not a need for everything there right now. ED Nāho‘opi‘i and Brundage stated that there are OSHA requirements for a temporary labor camp. ED Nāho‘opi‘i also commented that the level of intensity of activities needs to be addressed. A decision needs to be made by December 2010 and the technical issues resolved by February 2010. There would be an attempt to give staff three months notification that their contracts would be renewed at the end of the year. Staff would test the shut down scenario by the end of this year.

Brundage stated other options such as going into a caretaker status (“Scenario B +”) where one full time Zapata staff and one full time KIRC staff are on island at all times and that the base is not totally shut down. The chef would only be brought on island for visitors. From the Zapata standpoint, the cost is not that much different between Scenario B and Scenario B+ and it would provide safety, security and continuing maintenance. If Base Camp is not running fully, the generator would be decreased, resulting in cost savings. It does add more boat trips (Monday-Monday). Staff would bring their own food (but not visitors). Having an island presence once a month is not supportable by personnel—his staff would not be willing to work less than half-time. This scenario would give KIRC more time to make additional changes and continue to be ready if more funding comes in. ED Nāho‘opi‘i said there would be state labor issues that would need to be resolved.

DD McLean asked the Commissioners if they are looking at a specific budget number or how much they wanted to cut the next year’s budget.

Commissioner Arakawa commented that in addition to talking about cuts, the revenue side of the budget must be addressed. If there is a chance to get a dedicated source of revenue such as the Conveyance Tax which could bring in \$2-2.5 million, the KIRC should aim for \$2.5 million budget and would be more sustainable. He agreed with Brundage with regard to the maintenance issues. He is very uncomfortable of even a partial closure of the base camp. It seems to be a very drastic step.

Chair Neff added that having a presence on the island is very important in terms of enforcement, safety and communications. He suggested having two people (KIRC and Zapata) and a volunteer or three staff on island at all times. Vice Chair Whitehead stated that she really liked Scenario B+ because KIRC staff could do more of their work.

Brundage stated that the program can best be tailored with a known budgeted dollar amount.

Vice Chair Whitehead wanted to know the cost of Scenario B+ as this seems to be the best scenario. ED Nāho‘opi‘i and Brundage stated that they would need to discuss the numbers. ED Nāho‘opi‘i will have more details about Scenario B+ at the next Commission meeting.

Commissioner McGregor also requested a budget proposal to be taken to the legislature. The case needs to be made to the new governor and legislature about the impact of not having any funding, particularly for infrastructure. The State should be responsible for the cost of basic infrastructure. She stated that PKO is committed to increasing public support for the island by having them contact their legislators. Chair Neff repeated that the infrastructure needs to be tailored to what is needed.

Brundage stated that the current situation with the food and freezers is due to the scheduling uncertainty. Regardless of KIRC’s budget direction, KIRC should have a routine schedule months in advance beginning as soon as February 2011. The lack of a routine schedule creates difficulty in keeping the camp ready to provide support. Everything in the camp would not need to be prepared to go all month long and it could be done at little cost.

Commissioner Arakawa cautioned that if the camp closes, KIRC cannot provide in-kind grants; this will decrease its ability to attract funding grants. ED Nāho‘opi‘i added KIRC can use the media access and the holiday season for charitable contributions. The Staff continually keeps watch for grant opportunities and applies when appropriate grants arise.

Vice Chair Whitehead suggested that KIRC look to join the Hawai‘i Restoration and Conservation Initiative for networking and grant opportunities. Commissioner McGregor also suggested looking at the National Park Service, NOAA, National Science Foundation (NSF) and the Smithsonian for funding.

The meeting was in recess from 2:20-2:25.

Keoni Fairbanks suggested possibly getting a grant for energy conservation or having a demonstration project on island. DD McLean suggested that a CIP request could be made in the legislative package to get Base Camp off the grid. Commissioner McGregor stated the legislative package needs to inform the State that it should provide funding for

operations. She asked what activities exist that could generate revenue but not be considered commercial ventures. DAG Somerville clarified that commercial use is not permitted on the island.

Commissioner McGregor wondered if Kaho‘olawe could be considered for public purpose in relation to the Ceded Lands revenue outside of OHA which are to be used for education, public improvements (such as airports) and public purposes (such as forests reserves, watersheds, etc.). Vice Chair Whitehead agreed that the KIRC should look at all the possibilities in depth. Chair Neff added that the same package that goes to the legislature should also go to potential private donors.

## **IX. ANNOUNCEMENTS**

Items to be discussed at the next Commission meeting are whether Scenario B+ is supportable within a \$2.5 million budget; provide specific effects on programs; provide a CIP request requesting Base Camp be taken off the grid; and provide a transition packet for the DLNR Chair. Commissioner Arakawa asked for a better revenue picture for the budget.

Chair Neff announced that the next Commission meeting will be held on November 30, 2010 on Maui, location to be determined.

Commissioner McGregor read a statement from the PKO leadership “As an ‘Ohana we are committed to being and remaining a full partner on this Commission. Our Commissioners were part of the KIRC when the Hawaii Administrative Rules were promulgated and we support our Commissioners in those decisions. And we expect members of the Protect Kaho‘olawe Ohana to follow our ‘Ohana rules and also the KIRC rules which were committed to in the Palapala ‘Aelike and that if any one of our members does violate the rules we are committed to impose our own sanctions on our members. We still acknowledge that individuals have the prerogative to assert their own rights on their own without the general support or endorsement of the Protect Kaho‘olawe ‘Ohana.” Commissioner McGregor requested that this statement be shared with KIRC Staff.

## **X. ADJOURNMENT**

**MOTION:** Commissioner McGregor moved to adjourn the meeting, seconded by Commissioner Arakawa.

**ACTION:** Motion approved by all Commissioners present.

Meeting adjourned at 2:52 pm.