



KŪKULU KE EA A KANALOĀ
KAHO'OLAWÉ ISLAND RESERVE COMMISSION

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MINUTES OF THE 3rd REGULAR MEETING
Tuesday February 12, 2008
9:00 AM

Hale Maha'olu Ekolu
717 Maka'ala Drive
Wai'ehu, Maui, Hawai'i

COMMISSION MEMBERS

PRESENT: N. Emmett Aluli, Chairperson; Robert Lu'uwai, Vice Chair; Milton Arakawa; Charles Burrows; Craig Neff; John Waihe'e

ABSENT: Laura H. Thielen

KIRC STAFF: Michele McLean, Policy Advisor-Special Projects and Interim ED (PA-SP); Ka'ōnohi Lee, Commission Aide and Deputy ED (AIDE); Ray Enos, Policy Advisor-Governmental Affairs (PA-GA); Rowena Somerville, Deputy Attorney General (DAG); Kathy Kaohu, Resource Manager; Stephen Fulton, Reserve Manager; Nicole McMullen, Commission Assistant (CA); Tina Keko'olani, Lyman Abbott, Carmela Noneza, Christina Donehower, Kapono'ai Molitau, David DeMark, Paul Higashino, Keone Laepa'a, Mei Mailou-Santos, Ellen Pelissero, Cheryl King

KIRC CONSULTANTS: Frank Stanton, Leslie Kuloloio, Pualani Kanaka'ole Kanahale, Ken Wood, Carol Gallant

OTHERS: Manuel Kuloloio, Michael Naho'opi'i, Chris Swenson, Molly Gallant, Leimana Damate, Thelma Shimaoka, Kiki Hee, Momi Wheeler, Kimo Dowsett, Don Cameron, Attwood Makanani, Kahale Saito, Roselle Bailey, Jacob Mau

I. CALL TO ORDER

Chair Aluli called the 3rd meeting for the year 2008 to order at 9:30am followed by *Pule Na 'Aumakua*. A quorum was established with six commissioners present. Chair Aluli proposed to amend the agenda, moving up Dr. Frank Stanton and Ken Wood's presentations (items B and C), followed by item A, Pualani Kanaka'ole Kanahale's presentation on the Cultural Use Plan.

II. APPROVAL OF AGENDA

MOTION: Commissioner Burrows moved to approve the agenda as adjusted. Commissioner Arakawa seconded the motion.

ACTION: Motion approved by all Commissioners present.

III. APPROVAL OF MINUTES

MOTION: Commissioner Burrows moved to approve the Meeting Minutes of January 8, 2008 with minor corrections, which will be indicated in bold italics. Commissioner Lu'uwai seconded the motion.

ACTION: Motion approved by all Commissioners present.

MOTION: Commissioner Lu'uwai moved to approve the Workshop Minutes of January 8, 2008 with minor corrections, which will be indicated in bold italics.
Commissioner Arakawa seconded the motion.

ACTION: Motion approved by all Commissioners present.

IV. COMMUNITY and PUBLIC COMMENT

Chair Aluli asked that public comments be held until after presentations.

V. NEW BUSINESS

B. Presentation by Dr. Frank Stanton on the findings of his coral specie identification project and consider amending the condition on disposition of coral sample slides

Kathy Kaohu reported that Dr. Frank Stanton's presentation is a follow-up to his approved access for coral sampling of March 2007. Dr. Stanton reported that in August of 2004, he observed a discoloration in the coral species *Pavona varians* and *Pavona maldivensis* and received permission from the Commission to collect six small samples of coral tissue in the Reserve to be sent to the Mainland to be made into slides for analysis in Hawai'i. Researchers determined that a fungus had invaded the living tissue inside the coral skeleton. He is requesting that, instead of returning the slides to the KIRC as was part of the agreement, the slides remain at the National Wildlife Health Center – United States Geological Survey, Honolulu Field Office for the study of coral diseases.

Dr. Stanton said that this is the first time this fungus has been documented in Hawai'i. Commissioner Neff asked how the fungus got into the coral. Dr. Stanton said that they do not know if it is a naturally occurring scavenger or a pathogen. It is typically found in areas that show stress from sedimentation. They do not know if it kills the coral. The discoloration that was found is associated with the fungus. Commissioner Burrows asked if there was any historic evidence for the fungus. Dr. Stanton replied that it is not documented, but researchers in Hawai'i are now checking their notes for mention of discoloration. It has been seen in Samoa and the Caribbean. Commissioner Burrows asked if it could be the result of other factors like global warming. Dr. Stanton said that it could be a combination of factors, including a rise in sea temperature. Chair Aluli asked why this has been found first in Kaho'olawe. Dr. Stanton replied that he was the one that was curious about it and it may be found at other locations in Hawai'i. There may be an occurrence off of Moloka'i. He is also asking that the Commission approve his one page report manuscript so that he can alert researchers in the Pacific and Caribbean. PA-SP McLean clarified that the report references Hawai'i in general and not specifically Kaho'olawe.

Chair Aluli asked if there would be a formal study of the coral. Dr. Stanton said that there are studies looking at coral diseases throughout the world. He will incorporate the documentation into his monitoring. If he finds anything more during his surveys, he will notify the Commission. There is interest in the scientific community because the discovery is new in Hawai'i. There are no studies specifically studying this species. Chair Aluli asked if he would need to remove the coral. Dr. Stanton said that he suspects that there is a low incidence of the disease, but is interested in going back and seeing if it has spread. The next step is to document it. The disease was seen only on two species of coral, so the fungus may be selective. It was seen on another species in Samoa.

Commissioner Neff asked if the coral was a native species and if it had a Hawaiian name. Dr. Stanton said that it was native, but was unsure of a Hawaiian name. **Chair Aluli said that he wants to be sure that there is an ongoing study so that the disease does not spread.** Dr.

Stanton said that he could look at the corals in March and start tracking the disease. **Chair Aluli asked Ms. Kaohu to look at a budget for the study.**

Dr. Stanton said that if the Commission approves the transfer of slides, they would be part of the USGS collection. Chair Aluli said that an agreement would need to include the period of time and condition of the loan. Dr. Stanton said that they would be stored under archival conditions. They would be part of a slide collection to compare and contrast coral conditions. Commissioner Burrows said that that would be good.

Commissioner Neff asked Dr. Stanton if he had been orientated to the cultural uses of coral on Kaho‘olawe. Dr. Stanton said that he was familiar with the uses. Commissioner Neff said that that was not reflected in the report. Dr. Stanton said that, in his perspective, his report is contributing to the management of the natural resources on Kaho‘olawe. He said that all his divers are given an orientation to Kaho‘olawe. Commissioner Neff said that maybe there should be an exchange between scientific and cultural practitioners. Chair Aluli said that he would like to know more about the relationship between science, the health of coral and the fishing shrines. Ms. Kaohu said that Kapono‘ai Molitau spoke to the divers, and he could focus more on coral the next time. Commissioner Neff said that he just wanted to make sure that culture is kept in mind. Ms. Kaohu said that she would follow up with the Hawaiian name for the coral.

Chair Aluli said that he would like to see an annual report from the USGS on the use of the slides, storage and possibly a ten-year renewal. He said that we must set a standard as we are setting a precedent with this storage decision. Ms. Kaohu said that she spoke with Dr. Thierry Work as she was concerned about the slides being traded with other countries. She mentioned that the KIRC is very protective of its resources. Chair Aluli asked that conditions be included in a Memorandum of Agreement.

Pualani Kanaka‘ole Kanahale asked Dr. Stanton at what level of the reef the fungus was found. Dr. Stanton explained that it was found in three areas (Kuheia, Papakaiki and ‘Oawapalua) at between five and six feet and at approximately fifteen feet. She asked if much of the coral was infected. Dr. Stanton said that he only surveys specific locations. He said that the species are only about five percent of the coral in the reef. She asked what fish and seaweed were in the area. He replied that the entire community is represented and there is nothing different from elsewhere on the reef. She asked if the coral with the fungus has been removed elsewhere in the world. Dr. Stanton said that it has not, as it is difficult to get rid of since it lies underneath and within the coral. He said that very little is known about the fungus at this time. She asked if he knew if the fungus had been there a long time. Dr. Stanton said that he does not know.

Uncle Leslie Kuloloio thanked Dr. Stanton for bringing this new scientific research. He said that we are a place of challenge and need to welcome new methodologies for identifying what is happening to our resources. We can bring Hawaiian history and knowledge of the ocean. He said that we should continue the dialog. Roselle Bailey said that she appreciated the studies. It is good to connect Hawaiian culture to science, but said that it was our kuleana to give the cultural aspects and not his. We have to work together. She said that the Commission should provide a lab for their staff so they can be self sustaining.

Jacob Mau commented that he worked with DLNR and on Kaho‘olawe from 1966. He helped with the eradication of the sheep and goats. He said that many were deformed, and he wondered if the defects in the coral were the result of the erosion and chemicals from the bombing. He said that he appreciates what Dr. Stanton is doing. Dr. Stanton said that it is possible and he is keeping an open mind. There needs to be more surveying to isolate the cause. Aunty Pua asked if he thought the fungus was destroying the coral. Dr. Stanton said that they do not know if the fungus is causing the damage or if it is associating with already damaged coral. Chair Aluli

asked Dr. Stanton to stay for Auntie Pua's presentation. Commissioner Neff asked Dr. Stanton to call him if he needed any help.

MOTION: Commissioner Burrows moved to allow Dr. Frank Stanton, a Research Biologist for the Kaho'olawe Underwater Baseline Survey, to deposit soft tissue microscopic slides of *Pavona varians* and *Pavona maldivensis* with the National Wildlife Health Center – United States Geological Survey Honolulu Field Office for the purpose of utilizing the slides as a resource for future comparisons with other coral samples collected from the Pacific. An MOA will be established concerning off-island use, annual reports, cultural practices and timeframe. He also moved to approve the publication of Dr. Stanton's submitted manuscript. Commissioner Neff seconded the motion.

ACTION: Motion approved by all Commissioners present.

V. NEW BUSINESS

C. Presentation by Ken Wood on the status of 'Ale'ale restoration work and to consider a request from Bishop Museum to access 'Ale'ale and Pu'u Koa'e for arthropod collection

Kathy Kaohu introduced Ken Wood, biologist with the National Tropical Botanical Garden, and Chris Swenson of US Fish and Wildlife Service, to present an update of the monitoring of 'Ale'ale and an informational PowerPoint. Mr. Wood opened with a discussion of his work with plants around Hawai'i. He said that there are 1200 species of plants endemic to the Hawaiian Islands and thirty-one genres only found in the Hawaiian Islands. The islets of 'Ale'ale and Pu'u Koa'e contain significant rare endemic plants. There are forty-two islets in Hawai'i. One method to monitor plants is through distribution and abundance surveys. They are developing a conservation strategy for the islets of Kaho'olawe, Moloka'i and Kauai. Mr. Swenson said that he has been working with Mr. Wood since 2002. He said that the first task would be to inventory the islets. The Bishop Museum is interested in looking at the relationship between the insects and plants on the islets, which has not yet been done.

Mr. Wood said that he monitors by making a checklist of all species in a particular zone. Either birds or insects pollinate the plants. Seventy-six percent of the plants are insect-pollinated. There are different methods to assist the pollination. Fifteen percent of plants in Hawai'i have separate male and female plants. It is a very time consuming process to go to both plants. Sometimes they have great success and sometimes it is very slow. They would like to investigate the plant and animal relationships further.

Mr. Wood said that their work would benefit the plants, as well as sea birds. They are collecting seeds, working with local growers and horticulturalists and doing reintroductions of plants. There are core samples on O'ahu of the Kanaloa plant found in 1992. They have done seed collection from the Kanaloa plant. They recently found that the pollen matches prehistoric pollen, proving the plant was once more widespread. They were able to systematically water the two Kanaloa plants on 'Ale'ale. One of them is doing beautifully. Ohai also has a strong population, as well as the 'Ihi. They wish to evaluate the condition of the plants and the need for threat control.

Mr. Wood explained the importance of safety; as the islets are hot, have crumbling rock and sheer cliffs. They cannot bring the helicopter in if the winds are strong. They are also working with sea birds to understand seed distribution.

Chair Aluli asked for questions from the Commissioners. Commissioner Burrows commended Mr. Wood on his repelling skills and his research on native plants. He asked why the micro-propagation has not been successful. Mr. Wood replied that it was not from lack of trials. Many

scientists from different labs have worked on it, and some plants are very difficult. He said that the process is difficult on many levels. There is callusing, contamination and trouble with inbreeding, but they will not give up. Commissioner Burrows asked about the proposed motion to research non-native arthropods. Mr. Woods said that it would be very difficult to separate native from non-native and they have revised the motion. They are interested in reintroducing the insect pollinators. Pualani Kanaka'ole Kanahale asked Mr. Wood if there were non-native grasses. Mr. Wood said that there are and they do not usually hybridize. She asked about the bug population. He replied that he has not seen fleas or ticks. He has seen native bees. He would like to look into the ants. He is concerned about the fire ant, but said that they can be stopped in a small area.

MOTION: Commissioner Burrows read a revised motion and moved to allow access to Kaho'olawe to Heather Eijzenga, a Research Specialist with the Bishop Museum, to collect and identify arthropods from 'Ale'ale and Pu'u Koa'e, and to provide management recommendations in support of the KIRC's on-going monitoring, protection and management of the Reserve's coastal dry cliff communities, as represented by the applicant and subject to conditions proposed by the Commission. Commissioner Lu'uwai seconded the motion.

ACTION: Motion approved by all Commissioners present.

Chair Aluli said that the conditions would be explained in the MOA. He asked if US Fish and Wildlife Service would cover the cost. Mr. Swenson replied that they would. Mr. Wood said that in the past they had helicopter support from the KIRC and he would like to request it again from Maui to Kaho'olawe. **Chair Aluli authorized the Interim ED McLean to do the logistical arrangements.**

Chair Aluli asked the transition team to do their report as Auntie Pua set up her presentation. He introduced Kimo Dowsett, the Base Camp manager and Mike Naho'opi'i who will be the new KIRC Executive Director. Ellen Pelissero introduced Carol Gallant, a specialist in grants. Kathy Kaohu introduced Thelma Shimaoka, the Maui representative from Office of Hawaiian Affairs.

VI. OLD BUSINESS

A. Transition Team's Report

PA-SP McLean introduced Christina Donehower, the new Natural Resources Specialist II. The KIR Specialist II position has been offered and the paperwork is currently being processed. The most highly ranked candidate for the Ocean Resources Specialist II is finishing her Masters Degree and will not be available until late spring or early summer. An applicant from the last recruitment for the Cultural Resources Specialist II position may now be available. Recruitment remains open.

PA-GA Enos reviewed the legislative update. He reported that staff would be meeting with legislators in upcoming weeks. He explained CIP bills introduced by Senator Kalani English (\$800,000 for an alternative energy facility on Kaho'olawe) and Representative Mele Carroll (Kuheia Ops center, Honokanai'a Road, alternative energy project, and Maui information center). PA-GA Enos said that in the past, we have not made the final lists for CIP bills. He also reported that in HB 2384, Representative Carroll would direct the auditor to conduct an audit to determine the feasibility of deploying alternative energy resources to meet the energy needs of Kaho'olawe. He is unsure whether an audit is necessary. In 2004 there was a feasibility study of alternative energy, but new information has come in. He asked the Commission whether he should put together testimony or just monitor the bill. Chair Aluli asked if the audit would just

focus on alternative energy. PA-GA Enos replied that the audit should be specific to the resolution, but it could encourage additional audits. Another bill that was introduced, HB 3420, would establish culturally valuable districts, and Kaho‘olawe would be included.

Commissioner Burrows asked about outreach to the community for legislation support. Chair Aluli suggested a special working group to looking at getting bills passed. This years bills were carried over from last year. PA-SP McLean said that she and PA-GA Enos would be meeting with legislators starting tomorrow. She has also put together a short list of projects to bring to legislators (Culture and Education Center and Research Facility \$36,400, Pilot Native Plant Nursery and Garden \$14,200, Volunteer Access Support \$52,000, Grant Writer \$55,000, Kihei Boathouse Addition \$95,000). They will be gearing up for the next full budget year.

Commission Neff commented that they need to stay on the legislator’s radar and to start building relationships.

The commissioners reviewed the budget report and contract list included in the packet. Chair Aluli asked about the newsletter. Ellen Pelissero said that it was currently being printed. She said that we currently have a 2,000-member electronic mailing list that we can utilize for legislative support.

Item V. NEW BUSINESS

A. Presentation by the Edith Kanaka‘ole Foundation on the Status of the Cultural Use Plan.

Pualani Kanaka‘ole Kanahale began her presentation and PowerPoint by thanking the Commission for the opportunity and said that she was humbled to be there around many that have done so much for Kaho‘olawe. She said that past year’s cultural plans were good and she is happy to provide additional input. She is looking at the relationship between native people and the land. She said that the Hawaiian people were dependent on the elemental forms around them and named the island after the god Kanaloa. The name is an important part of the island. She wants to make sure the island keeps its status as a wahi pana. People need to go to Kaho‘olawe with the mindset to give mana as well as receive. She will recommend that the political standing be changed so that the island has its own status, that the island be known as Kanaloa and have one district known as Kaho‘olawe. She said that an island with the name of a god should not be in the shadow of a larger island.

Manuel Kuloloio asked her interpretation of the name Kaho‘olawe. She said to wash or take away. Commissioner Lu‘uwai expressed concern about changing the name as the island has been called Kaho‘olawe by his generation and it may be confusing when they are seeking funding. Aunty Pua said that both names would continue to be used. Leslie Kuloloio said that he supported that direction of including traditional names and meanings and understands Commissioner Lu‘uwai’s concerns. It would be the moku of Kaho‘olawe, protected by the island of Maui. Mr. Kuloloio cautioned not to rush this kind of change and to work together. Aunty Pua said that she is putting out the idea and expects it to be mulled over for years. It would still be the moku of Kaho‘olawe, but the name Kanaloa needs to be recognized.

Aunty Pua continued by explaining the volcanic history of Kaho‘olawe and the connections between the modern science and the mythology. The early Hawaiians had an understanding of natural forces. She is looking at na wahi pana and meanings behind place names to determine why places were considered sacred. She will recommend that the ili be changed to ahupua‘a and that the trail system be established and ahus be built. Attwood Makanani said that it is difficult to get clearance during the Makahiki and he would like the Commission to build the trails and ahus. Aunty Pua will also recommend that LZ sites be given Hawaiian names. She suggested

that the names of those who have passed away be considered. Attwood Makanani said that some LZ sites are no longer used.

A section of the plan will address Na Akua and Aunty Pua discussed the importance of ceremonies. She explained the importance of the winter solstice and Site 101 as the piko of the alignment of the sun with Haleakalā. She said that there is a petroglyph that shows an image of the alignment. She will recommend the improvement of sites, that each ili have an activity to draw visitors, further examination and the moving of the loa‘a stone, the establishments of house sites and a south village, and the development of a cultural management plan. Commissioner Lu‘uwai told Aunty Pua that there was a cave on the left at Kanapou, but the Navy destroyed it. She said that that connects with the name.

Commissioner Burrows said that it is a challenge with ceremonies as to whether they are considered religious or cultural according to the law. Aunty Pua said that she does not make a distinction and considers ceremonies as cultural and part of the relationship between people and the elements that maintain life. She considers the concept of religion to have been introduced to the Hawaiians. Chair Aluli asked if they had to be concerned about the separation of church and state and how to approach it. Aunty Pua said that they are Hawaiians first and state employees second. Chair Aluli said that it would be important to write out their position. He said that they would also need guidelines on the construction of new ahu. Attwood Makanani commented that the PKO had legal language for religious activity that recognized Hawaiian rights in the Consent Decree. There can be conflict with government dictating acceptable religious practice.

Kaho‘olawe is a special precedent and they need to look at legal language to protect Kaho‘olawe as a wahi pana. Roselle Bailey cautioned that, with the legal language, they do not give away what they already have. She said that there are things they cannot do until they become a sovereign entity. She agrees with Aunty Pua that Hawaiians did not have an established religion. It was one’s own communication with the elements and ancestors.

Kathy Kaohu asked Aunty Pua if she had a timeline for the cultural use plan, considering that she had wanted to look at a full cycle of the year. Aunty Pau said that she is looking at January. She still needs to study the fish and ocean and view the summer solstice.

Break 1:15 pm – 1:40 pm

V. NEW BUSINESS

D. Informational presentation by Leslie Kuloloio, the ‘Aha Kiole representative for Kaho‘olawe, on the mandate & mission of the ‘Aha Kiole Advisory Committee

Leslie Kuloloio, Kiole representative for Kaho‘olawe, and Leimana Damate, Kiole Community Coordinator, gave an informational presentation and PowerPoint on the ‘Aha Kiole Advisory Committee. He explained the background of the committee as a grassroots effort to gather and learn from native fisherman and was expanded to include farmers. The committee was established through Act 212 of the state legislature, with the whole support of both houses. Through meetings with farmers and fisherman in 2006, they found that Hawaiians on each island fished and used their resources differently. They then brought in educators and policy makers. The committee stresses the importance of the original moku boundaries in traditional Hawaiian resource management. He said that there are twelve moku on Maui, and people need to be careful about changed place names with modern mapping. He stressed the need to encourage kupuna to come forward to add to the traditional knowledge. He explained how knowledge and place names of Kaho‘olawe came from the kupuna.

Mr. Kuloloio read the mission statement of the ‘Aha Kiole Advisory Committee: to incorporate appropriate Native Hawaiian knowledge and protocols for the preservation, cultivation and

management of all Native Hawaiian natural and cultural resources for the future generations. The official purpose of Act 212 is to initiate the process to create a system of best practices for natural and cultural resources that is based upon the indigenous resource management practices of moku boundaries, which acknowledges the natural contours of the land, the specific resources located within those areas, and the methodology necessary to sustain those resources. He said that they are visiting all islands and will present to the legislature in 2009. He said that we all need to work together, Aunty Pua, the KIRC, PKO, etc. Chair Aluli thanked Mr. Kuloloio for his recent work on Molokini.

V. NEW BUSINESS

E. Consider a request from the Kuloloia and Kukahiko ‘Ohana to access Kaho‘olawe for educational and cultural purposes

PA-SP McLean introduced the next item, a request that was brought to the Commission at the end of December from Manuel Kuloloio to access Kaho‘olawe with Billy Mitchell and his son. They asked and received additional information from Mr. Kuloloio since the initial request. Mr. Kuloloio and his father will access the island with the Mitchells for “the beginning of an educational mission.” It will be a one-day visit to three areas: Hakioawa, Moa‘ulanui, and Honokanai‘a. He has requested a window of time rather than a specific date in case of bad weather. The access will be at no cost to the KIRC other than logistical support on the ground. She reported that it meets the legal requirements as an educational and cultural access, considering the connection between the area and the families. The applicants have said that they would participate in KIRC programs or with the PKO while on island.

Manuel Kuloloio spoke about his access request. He said that it has been a long process for him. He quoted George Helm and discussed his role and the role of others in stopping the bombing of Kaho‘olawe. He quoted George Helm’s speech to the legislature when he stated the need to protect the culture and that the culture cannot exist without the land. He recounted the events of George Helm’s and Kimo Mitchell’s disappearance. He said that people have questioned why Billy Mitchell never returned to the island. He said that he has asked the KIRC and the PKO in the past about an access and has gotten a lukewarm response. He was told that he would have to go on a KIRC access. He said that Billy Mitchell wants to bring his son to Kaho‘olawe in a quiet way. It would be a chance to regain his dignity.

Mr. Kuloloio submitted place names and oral histories, as well as a record of his experiences on many KIRC and PKO accesses with his application. He discussed the important role he and his family played in the history of Kaho‘olawe. He said that it hurts him to see others go on educational mission and go wherever they like. He said that it is the responsibility of the PKO to protect religious freedom and ceremonies and symbolically cleanse the islands. He thanked the Commission for the opportunity to make the request. It is his intention to participate with the KIRC and return with the PKO. He said that the party would stay in level one areas.

Chair Aluli said that he appreciated the time they have had to talk about this request. He said it has taken thirty years for the Helm family to go to Kaho‘olawe. He said that it is emotional. He would like to accommodate them. He said that to him, it is beginning to set things straight. He said that they need to examine the process and create guidelines for educational accesses. He said that they will work it out and will work with the PKO. The KIRC will handle health and safety issues. He said that we get so much from the island, but we always give back with the planting and hopes they will participate.

Commissioner Burrows said that he appreciated his being there and discussing the concerns and frustration with the process. It is a one-time event and they are following the guidelines. He said

that it would be a personal reconciliation and the island has important healing to offer. Commission Lu'uwai thanked him for the research he provided. Commissioner Neff offered that the group go with the PKO instead. Attwood Makaanani commented that the families have an important legacy and they have had a difficult time. Kaho'olawe can provide closure. He is very supportive of this access and said that the PKO is there to support families. He said that it would be nice if the PKO was there to greet them. Paul Higashino said that the KIRC would be happy to offer ground support. We are here today because of the efforts of others and he would like to help. Roselle Bailey commented on the danger of spreading false rumors and said that Kaho'olawe provides healing. Kylee Omo offered to coordinate the access and host the families with the PKO. She testified as a past applicant that the KIRC process is arduous. She apologized for the past poor reception and said that she thought it would be a great opportunity for the kua. Kapono'ai Molitau addressed Mr. Kuloloio in Hawaiian. Mr. Kuloloio said that he told Mr. Mitchell he would facilitate to bring him to Kaho'olawe and thanked the Commission for hearing him. **Chair Aluli asked that the interim and new ED coordinate with the PKO, Ms. Omo, Commissioner Neff, and Program staff to facilitate the access in the best way to maintain privacy.**

MOTION: Commissioner Arakawa read the revised motion to delegate to the interim ED and new ED the authority to facilitate the applicant's access request with the PKO, KIRC programs and Operations staff. Commissioner Burrows seconded the motion.

ACTION: Motion approved by all Commissioners present.

V. NEW BUSINESS

F. Approve the posting of a Request for Proposals to manage Honokanai'a Base Camp

PA-SP McLean reported that the Parsons contract would expire at the end of June. The current contract goes back to 2005, although the scope of work has been modified. She expects Parsons will bid on the new solicitation. It does not specify the number of employees or schedule. The vendor will be expected to propose how the tasks will be accomplished. When the bids come in, the staff will return to the Commission with the contract for approval. PA-SP McLean said that they could defer the approval until the March meeting if the Commission is not ready to make the decision. There are still questions about the future direction of Base Camp and that affects all aspects of operations.

Chair Aluli asked if we would have a better understanding of volunteer needs in a couple of weeks. PA-SP McLean said they will know the status of the DOH grant and will talk about a volunteer donation program. She asked what the driver should be. Chair Aluli said that it would be important to look at a timeline for phasing out base camp and phasing in a Kuheia base. Commissioner Burrows asked about the current proposal for base camp and if we could look at a time extension of less than one-year. Chair Aluli said that they could talk about it while on island and have a full discussion at the March meeting. **The motion to approve the RFP for Honokanai'a Base Camp was deferred.**

V. NEW BUSINESS

G. Consider testimony on HB 2701 relating to the Public Trust Lands Settlement

Chair Aluli commented that the Commission was asked to submit testimony in support of HB 2701, the OHA/State Settlement Bill. It is the second time that the Commission has commented on legislation. PA-GA Enos said that some people were unhappy that they were not informed of details of the bill and the hearing was cancelled. The Senate version is basically the same. PA-

GA Enos presented the draft testimony written by Chair Aluli on behalf of the Commission. He said that it is up to the Commission whether or not they want to take a position or just monitor the bill. He said that we are looking to partner with agencies like OHA. He also submitted a matrix of testifiers to the Commission.

Chair Aluli said that Kaho‘olawe is ceded land and we have set a precedent to return the land to a Hawaiian nation. We are looking at the future of ceded lands. Commissioner Waihe‘e commented that this settlement does not resolve overthrow claims. It resolves claims that OHA has as a state agency. The land is essentially shifting from one state agency to another.

Commissioner Neff asked about the total of the settlement. PA-GA Enos said that it is at the discretion of the governor. He said that the Department of Hawaiian Homelands is in support of the bill.

Commissioner Burrows asked if it would be possible for the KIRC to move under OHA and receive revenues. DAG Somerville said that it is possible if OHA agrees to it. Chair Aluli asked for public comment. Attwood Makanani commented that Kaho‘olawe is special as crown and ceded land and a public trust, and KIRC should be careful when considering putting the island under OHA. Chair Aluli said that they thought DLNR would be the best place for Kaho‘olawe at the time. He asked if they should become their own entity with a non-profit or as another state agency. He said that liability is our biggest problem. We have to think of the future. Mr. Makanani responded that the KIRC is the entity to initiate the transfer and recognize the sovereign. Funding should come to the KIRC already. KIRC should be part of the settlement. KIRC is the entity that needs to sit at the negotiating table. The liability will never go away and will be attached to whatever entity.

MOTION: Commissioner Burrows moved to support the Public Trust Lands Settlement Bill. Commissioner Lu‘uwai seconded the motion.

ACTION: Motion approved by five Commissioners. Commissioner Neff voted nay.

VI. OLD BUSINESS

B. Program Status Updates

Culture and Education: Kapono‘ai Molitau reported that he met with U.S. Fish and Wildlife Service, Randy Awo (DOCARE), Leslie Kuloloio (Aha Kiole Rep.), Theresa Donham, and Ka‘onohi Lee regarding the UXO on Molokini; accessed Molokini with others to assess areas of cultural and archaeological importance; and provided input on cultural concerns. He discussed the important relationship and alignment between Molokini and Kaho‘olawe. Due to cultural and archaeological concerns, the “burn” was postponed until March or possibly longer. Mr. Molitau’s halau cleaned out the middle room in the ROC to make way for the Education Center. They did in three hours what he thought would take three days. Halau Lokahi Charter School will access the island at the end of the month.

Chair Aluli commented that if they blow instead of burning the UXO in place on Molokini, the impact would be great. Bart Maybee said that the possibility is always there that it would blow. They are proposing to burn it from the inside out. Chair Aluli said that Uncle Les advocated moving the UXO. Mr. Molitau said that the bomb has been exposed more. Chair Aluli asked if Ms. Donham was satisfied with the archaeological visit. PA-SP McLean said that she is recommending an inventory. **Commissioner Neff told Mr. Molitau that he is asking all programs to provide where they are in their budget and with the strategic plan for the next meeting.** Kathy Kaohu said that they would present deliverables on the action items. Mr. Molitau thanked the Commission for their support in moving forward.

Outreach Program: Ellen Pelissero said that \$2100 has been donated to the sponsorship program this month. She also acknowledged the recent donations of architectural drawings, moorings and brochure printing. She said that she, Jackson Bauer and Kaponō'ai Molitau gave a presentation to nearly eighty seniors at Kaunoa Senior Center. The response was very positive and they were invited to present for different civic groups. She also has been working on an official statement regarding the trespassing trial. She is working on reprinting the Kaho'olawe DVDs to give as thank you gifts. She is helping to locate a rock wall contractor for the Kihei site. She has heard from one on the Big Island. She estimated that the newsletter would be ready to mail on Monday.

Commissioner Burrows asked if there was an e-mail list of contacts that could be used for announcements of new legislation. Ms. Pelissero said that she keeps an e-mail list and a mailing list, including volunteers, which she is building for the purpose of funding support. Commissioner Neff asked about agenda distribution. She said that people can sign up on the website to receive newsletters, press releases and/or agendas. Commissioner Neff said that he has an e-mail link that he will send to her. **He asked her to also report on her budget and the strategic plan. He would like a penalty added as a deterrent to the boater information cards for the next printing.**

Ocean Program: Cheryl King said that they now have five years of aerial surveys to use as dataset. They are continuing to monitor the growth rates of 'opihi. They are conducting mooring and turbidity monitor maintenance. Included in the packet is the Marine Option Program interim report for the Kaho'olawe Underwater Baseline Surveys with coral data analysis. They will be participating in whale counts in February and March. Chair Aluli asked Ms. King if there have been differences observed during the aerial surveys. She replied that the turtle counts have been down a little, but the seals have remained the same. Commissioner Lu'uwai commented that the whales are coming in closer to shore. **Commissioner Neff asked Ms. King to look at the budget and the strategic plan.**

Reserve Operations: Stephen Fulton reported that the 'Ōhua was a great success on its first trip with volunteers. They are not yet allowed to land on the beach. Commissioner Burrows asked how it was in rough seas. Mr. Fulton said that in rough seas, they slowed down and that they could fit thirteen people in the back if necessary. The sea was rough yesterday and the trip took one and one-half hours. Commissioner Burrows asked if there was any concern over alien algae. Mr. Fulton said that he was concerned, but it should be less of a problem once they leave Mā'alaea. He said that they received the donated truck last Friday and some modifications need to be made to the trailer hitch. Work has begun on expanding the boathouse doorways. They have received the alternative energy study from UH School of Architecture. Commissioner Burrows asked how many trips student Corey Boss would need for his proposal to renovate a volunteer hut. Mr. Fulton said that he thinks one visit was sufficient for him to complete his proposal and the staff is currently reviewing it. PA-SP McLean said that an official proposal would probably be presented at the next Commission meeting. **Chair Aluli said that they need to look at a total Base Camp plan.**

Restoration Program: Kathy Kaohu reported that on February 22, Lyman Abbott and DAG Somerville would meet with DOH and USGS about shifting moneys for the DOH grant. She introduced Christina Donehower the new Natural Resources Specialist II. Her hiring triggers the second phase of the DOH grant. USGS will be out later in the month to collect samples and measure erosion pins. NRCS will be going out and they will discuss if there is a need to supplement the wetlands in the dry season and what water is needed for planting. Jamie Bruch

has started to monitor the mice population in the field. They will be looking at an MOA with US Fish and Wildlife Service in March or April to assist with funding.

VII. ANNOUNCEMENTS

DAG Somerville reported that the Noa trial was postponed until April 4th. Michele McLean said that Toby McLeod would be stopping in the office at the end of February.

VII. ADJOURNMENT

MOTION: Commissioner Neff moved to adjourn the meeting. Commissioner Arakawa seconded the motion.

ACTION: Motion approved by all Commissioners present.

The meeting adjourned at 4:00 p.m.

Upcoming Commission meetings:

March 18 and 19 in Honolulu