



KŪKULU KE EA A KANALOA
KAHO‘OLAWE ISLAND RESERVE COMMISSION

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COMMISSION MEMBERS

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HÖKŪLANI HOLT
CARMEN HULU LINDSEY

Michael K. Nāho‘opi‘i
Executive Director

PUBLIC MEETING MINUTES

Thursday, February 16, 2017

8:30 am

Kalanimoku Building

1151 Punchbowl St., Room 322C

Honolulu, Hawaii

COMMISSION MEMBERS

PRESENT: Michele McLean, Chairperson; Joshua Kaakua, Ed. D, Vice Chair; C. Kaliko Baker, Ph. D.; Suzanne Case; Jonathan Ching, D. Arch; Carmen Hulu Lindsey

EXCUSED: Hōkūlani Holt

KIRC STAFF: Michael Nāho‘opi‘i, Executive Director (ED); Ka‘ōnohi Lee, Administrative Officer (AO); Daniel Morris, Deputy Attorney General (DAG); Terri Gavagan, Commission Coordinator (CC)

GUESTS: Davianna McGregor, PhD. (Protect Kaho‘olawe ‘Ohana [PKO]); Dan Purcell; Kylee Mar (PKO); Rowena Somerville

I. CALL TO ORDER

The meeting was called to order at 8:47 am. Quorum was established with six Commissioners.

II. APPROVAL OF MINUTES OF DECEMBER 1, 2016

MOTION: Commissioner Lindsey moved to approve the minutes of December 1, 2016. Commissioner Ching seconded the motion.

ACTION: The motion was approved by all Commissioners present.

III. COMMUNITY AND PUBLIC COMMENTS

Members of the public introduced themselves but no other community or public comments were made at this time. Chair McLean commented that the public would be invited to make comments for each agenda item.

IV. ACTION ITEMS

A. Review and Approve Proposed CY 2017 Access Dates and Activities for the Protect Kaho‘olawe ‘Ohana

ED Nāho‘opi‘i explained that there were three motions associated with this agenda item as stated in the staff memo. He also gave background on terminology used for PKO activities within the Reserve.

Commissioner Ching asked how far in advance staff would need to know of changes to PKO accesses. ED Nāho‘opi‘i responded it depended on logistics but notification one month in advance would be preferred.

Chair McLean added that the Commission would only need to approve a new activity. Changing dates because of weather and logistics was done at the staff level.

Dr. McGregor stated she was at the meeting to answer any questions and noted that the PKO had submitted their annual report summarizing their projects on Kaho‘olawe in 2016. Chair McLean noted that the reports were very helpful.

Dr. McGregor asked about whether the Hōkūle‘a access should be a stewardship access or a KIRC access. ED Nāho‘opi‘i responded that the access will be a KIRC access.

The Commission asked about the status of the Hakioawa landing pad. ED Nāho‘opi‘i responded he was told it was completed. Staff was told that helicopters could land on it.

Chair McLean asked if there was an expiration date on the stewardship agreement. Staff responded it was valid until June 2019.

- MOTION:** Commissioner Lindsey moved to
- A. Amend the list of “KIRC Approved and Authorized Activities”:
- Add: Maintenance of the Hakioawa facilities and infrastructure
 - Revise: PKO Revegetation Projects to delete DLNR Revegetation Phase II grant and add Native Plantings
 - Delete: Hakioawa Landing Pad
- B. Pursuant to HAR §13-261-13 and Section 8 of the Palapala ‘Aelike Kahu‘aina, approve the proposed access dates and activities for the 2017 calendar year requested by the Protect Kaho‘olawe ‘Ohana as KIRC approved and authorized activities with the exception of the November 15-19, 2017 Opening Makahiki, February 14-19, 2018 Closing Makahiki and the Ka‘apuni portion of the June 28 – July 1, 2017 access request.
- C. Pursuant to HAR §13-261-13 and Section 2 and 6 of the Palapala ‘Aelike Kahu‘aina, authorize the request for access by Protect Kaho‘olawe ‘Ohana for November 15-19, 2017, Opening Makahiki; February 14-19, 2018, Closing Makahiki; and June 28 – July 1, 2017, Ka‘apuni.
- Commissioner Ching seconded the motion.

ACTION: The motion was approved by all Commissioners present.

Commissioners Baker and Ching as well as Dr. McGregor thanked the KIRC staff for the adjustments and support staff gave during the closing of Makahiki, particularly given the last minute changes.

There was a discussion about the need for the maintenance of the current lua and the possibility of adding a new lua. There was concern for the timeline.

Vice Chair Kaakua stated the lua needed to be looked at as part of the KIRC's inventory. He also stated that the liability for health and safety falls under the Commission as a state agency.

B. Review and Approve Legislative Positions for 2017 Session

ED Nāho'opi'i reviewed the KIRC's legislative requests:

- 1) \$1 million in funding in the administration's budget. The KIRC asked for continuation of funding to carry over to this fiscal year
- 2) Legislative support of the administration's FY2018-2019 budget request for KIRC staff (15 positions)
- 3) Direct request for General Funds for staffing and operations (House Bill 620)
ED Nāho'opi'i reported that HB620 was heard and passed with amendments. The amendment was to include language that the funding could be utilized for alternative energy and water. It will be heard next by the Finance Committee.
- 4) Correct language in CIP request for funds for design and planning for the Kīhei property approved in 2016 to indicate the location as the County of Maui rather than the County of Hawai'i. This legislation passed the Committee on Ways and Means. It was also in the Governor's Message (GM) as an amendment to the Governor's budget.
- 5) Funding for photovoltaic desalinization project (HB621); staff believed it would be combined with SB620.

ED Nāho'opi'i reviewed the status of bills relating to Kaho'olawe:

- 1) HB100, State Budget-the KIRC was listed as a line item; GM2 reduced the state's operating budget but there was no effect on KIRC funding; it also made an administrative correction to the KIRC's CIP funding for the Kīhei project. The line item included funding for 15 KIRC positions, amounting to a little over \$1 million.
- 2) HB 622, Relating to the Public Land Trust, which authorizes the BLNR Chairperson to transfer public lands trust funds to the Kaho'olawe Rehabilitation Trust Fund and authorizes the Office of Hawaiian Affairs to expend public land trust funds for purposes consistent with those of the Kaho'olawe Rehabilitation Trust Fund. The bill was passed by Committee on Water and Land with amendments. The amendments were minor.

ED Nāho'opi'i asked for the Commission's position on HB622 which was not introduced or requested by the KIRC.

Commissioner Case stated she would abstain from the vote to avoid conflicts between the DLNR and the KIRC positions on the legislative bills. She stated DLNR had serious reservations about this bill. She stressed that funding had to be new money and not from DLNR's budget. She supported the funding for the inclusion of the 15 KIRC positions within the Governor's Budget.

Commissioner Lindsey commented that 20 percent of public land trust funds was for OHA to spend and no one else. She stated that OHA totally supported Kaho'olawe and that a grant application from the KIRC was filed with OHA and that she supported it at the board level. OHA would continue to oppose the bill. She stated she would be in definite opposition to supporting the bill as a Commission.

ED Nāho'opi'i stated staff has filed every year for federal appropriations. Commissioner Case asked if staff was distinguishing between money for ordnance cleanup and for restoration of the island. ED Nāho'opi'i clarified that the KIRC requested that money be added to the existing line item for Kaho'olawe in the Department of the Defense (DOD) budget. Chair McLean suggested that staff notify Commissioner Lindsey when the application has been made so that she can follow up on it during her annual trip in June to Washington, D.C.

Chair McLean asked if OHA was able to submit testimony in support of the other KIRC funding bills. Commissioner Lindsey said yes.

Staff was still waiting to hear if the KIRC grant application was approved by OHA. Commissioner Ching stated that the grants applications were currently being reviewed. He and Commissioner Lindsey encouraged the KIRC and the PKO to continue to applying for grants.

Vice Chair Kaakua stated he realized that the Commissioners wear many hats but the charge for the Commissioners as Commissioners was to support the KIRC in seeking funds. He stated he would like to support HB 622 but also realized that the KIRC did not want to be taking funding from other entities. He wanted to support a healthy OHA; he wanted to acknowledge Commissioner Lindsey's and Commissioner Case's comments. He and Commissioner Lindsey stated they thought the best option was to submit testimony for comment only.

ED Nāho'opi'i suggested the testimony could state that that the KIRC appreciated the intent of the measure to find funding for the Kaho'olawe Island Reserve Commission but would provide comments only at this time.

There was a discussion as to whether to include in the testimony of support for OHA receiving the full funding of 20 percent.

Dr. McGregor opposed the bill stating that it was divisive.

MOTION: Commissioner Lindsey moved to submit testimony for comment only on HB622 and focus on the need for permanent funding but take no

position. The KIRC appreciated the concept of the bill. Commissioner Ching seconded the motion.

ACTION: The motion approved by roll call: McLean no; Kaakua aye; Baker aye; Case abstain; Ching aye; Holt excused; Lindsey aye.

V. ADMINISTRATIVE BUSINESS

A. Executive Director's Report

ED Nāho'opi'i reported that total expenditures to date was \$1.035 million including encumbrances. The total budget for this year was \$1.558 million. Staff hoped that the expenditure report would be current by the next Commission meeting.

Commissioners Baker and Lindsey were excused at 9:50 am.

ED Nāho'opi'i reviewed the current grant status report. There are currently seven grants. Chair McLean asked for clarification of notes for the third grant listed, The Healing of Kaho'olawe: Building Community to Restore Kealaikahiki. ED Nāho'opi'i responded it was to maintain Honokanai'a and expand to Kealaikahiki.

ED Nāho'opi'i noted that the long range schedule was attached for the Commission's review. Program accesses were scheduled through July. Future accesses will be determined by future funding.

ED Nāho'opi'i reported that the Cultural Resources Project Coordinator (CRPC) position was still vacant. The position was advertised and there was one inquiry so far. Vice Chair Kaakua stated he thought this position was critical for the KIRC and wanted to know if anything could be done to help fill the position such as not requiring a bachelor's degree. Staff explained that would change under which bargaining unit the position would fall. Commissioner Ching suggested relooking at the job description since no one was applying. Staff responded there was a Cultural Specialist II position which was a lower level. Chair McLean and Commissioner Ching suggested both positions be advertised with the stipulation that if someone was hired for the Cultural Specialist II position that person's capacity could be increased to promote them to the CRPC. Commissioner Ching requested the job description be sent to the program at the University of Hawai'i which was creating cultural resources managers. Chair McLean suggested forwarding the job descriptions to cultural practitioners on Maui such as Commissioner Holt.

ED Nāho'opi'i reported that Commissioner Baker's current term expires this year. He has applied for a renewal on-line. Commissioner Holt's term expired last year but was currently a holdover. She also needed to reapply on-line. Staff will follow up with Boards and Commissions.

ED Nāho'opi'i reported there was good support from staff's meetings with legislators and was asked to return during the session. Staff will follow up on a request from a legislator to conduct a marketing study for the revenue potential for the Kīhei

property. Chair McLean suggested staff may want to apply for a HTA or OHA grant for the marketing study.

ED Nāho‘opi‘i reported the ‘Ōhua was up and running after six months. The engine was pulled out and almost all the pistons and other parts were replaced. Staff was looking at scheduling the overhaul of the other engine when funding was available.

ED Nāho‘opi‘i reported staff just conducted a site visit with the contractor for the photovoltaic (PV) system. ED Nāho‘opi‘i requested renderings of the PV site and the redesign of the galley and dining hall by April for Commission review and approval of the conceptual ideas. The PV field would be preliminarily located behind the landing pad on the hill. The kitchen and dining hall will have a new roof structure in front of the dining hall and there will be an outdoor lanai. The cook’s quarters will be eliminated. The walls on both sides will be replaced with windows, jalousies and screen doors to maximize airflow. There will be a roof structure between the lower hut and the dining hall to shade the building. All air conditioning will be eliminated from the dining hall. The kitchen will be reconfigured for efficiency and airflow. The building will be closed when staff leaves to prevent dust and rain from getting inside. Preliminary conceptual drawings were in the Year-In-Review for FY16.

Commissioner Ching commented that rodents could be a potential problem. ED Nāho‘opi‘i responded that buildings and doors would be better sealed. There will be no open storage. There will no longer be a walk-in freezer since that capacity was no longer needed. A Hobart wash system will be installed so paper goods will no longer be used. The PV system will be low maintenance with internal batteries.

Vice Chair Kaakua pointed out this project was the first DLNR design/build project. If it was successful, it could be promoted with the legislature and public.

ED Nāho‘opi‘i reported staff was awaiting correction in the CIP funding bill for the Kīhei property. Once the language was corrected staff would request the funds be released and the engineering division would select an architectural company to complete the project design. The Commission would have to approve the final plans.

VI. PROJECT STATUS UPDATES

A. Status Update on current and planned Restoration Program Projects: Kanaloa Update; Island Conservation Contract; Biosecurity Implementation Plan

ED Nāho‘opi‘i reported the Kanaloa Plant Management Plan was updated and sent out for review. There were currently a total of four Kanaloa plants at Ho‘olawa Farms and Maui Nui Botanical Gardens. The staff recently flew over the plant in the Reserve and it looked like it did not survive the mice infestation and the drought. Staff would continue to check on it.

ED Nāho‘opi‘i explained that the current Island Conservation contract was a follow up to the faunal restoration plan and was covering the investigative parts to refine the impact of conducting the mouse eradication. Staff have determined that the pueo and

bat populations were transitory. Staff was trying to reconvene the steering committee to follow up with the funding stage and executing the plan.

ED Nāho‘opi‘i reported that the bio security plan was submitted to HISC. Staff would work with PKO to provide training to help implement the plan.

B. Status Update on current Ocean Program Projects: HCF Project, CIP Marine Debris Removal Project; NOAA Scientific Dives

ED Nāho‘opi‘i reported staff still needed to complete photometric surveys for the HCF Project which were delayed due to water conditions. Staff also needs to remove 37 remaining pounds of invasive fish.

ED Nāho‘opi‘i reported six tons of marine debris was removed through the CIP Marine Debris Removal grant of \$70,000. The report was being finalized.

ED Nāho‘opi‘i reported that the KIRC received a draft report of the data collected during NOAA scientific dives and the update listed the data summary. Staff hoped follow up with another set of dives in 2018.

There was a recess from 10:25 am to 10:30 am.

C. Status Update on current Culture Program Project: Hui Kāpehe

ED Nāho‘opi‘i reported that certification opportunities have been added to the program. Cultural workshops such as weaving have also been added to the curriculum. New training such as drone operations will be added in the future.

D. Status Update on current Commission Projects: Kaho‘olawe Living Library; Kaho‘olawe Island Guide-Hō‘ike ‘ano o Kanaloa

CC Gavagan reported that the mobile app (Kaho‘olawe Island Guide) went live. It was still a beta version but was available for public use. It was currently available only for iPhones; the Android version was still under development. The oral history segments were not incorporated yet into the app. Staff was also working on the expansion of the Living Library funded by IMLS.

V. ADMINISTRATIVE BUSINESS (CONTINUED)

A. Executive Director’s Report (continued)

MOTION: Commissioner Ching moved to enter into executive session to consult with the KIRC’s attorney on questions and issues pertaining to the board’s powers, duties, privileges, immunities and liabilities pursuant to HRS §92-4(a)(4). Vice Chair Kaakua seconded the motion.

ACTION: Motion was approved by all Commissioners present.

The Commission resolved into executive session at 10:35 am.

At 10:41 am the Commission rose to report out of executive session. The Commission had discussion with its attorney and no votes were taken.

There was a discussion as to whether to place looking at pursuing federal funds from the federal government on a future agenda.

VII. ANNOUNCEMENTS/FYI

There were no announcements from the Commission.

VIII. NEXT MEETING AND FOLLOW UPS

ED Nāho‘opi‘i suggested the next meeting be schedule in early April. The most likely topics would be authorizing the Executive Director to extend contracts for Base Camp and communications services; a preliminary budget.

IX. ADJOURNMENT

The meeting was adjourned at 10:46 am.