



MICHELE MCLEAN
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C. KALIKO BAKER
COLETTE Y. MACHADO
KA'IULANI MURPHY

KŪKULU KE EA A KANALOA
KAHO'OLAWÉ ISLAND RESERVE COMMISSION

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

Michael K. Nāho'opi'i
Executive Director

MINUTES MEETING

Friday, June 24, 2011

8:45 am

Office of Hawaiian Affairs
Conference Board Room, 5th Floor
711 Kapi'olani Blvd.
Honolulu, Hawaii

COMMISSION MEMBERS

PRESENT: Michele McLean, Chairperson; A. Nāmaka Whitehead, Vice Chair; William Aila, Jr.; C. Kaliko Baker; Ka'iulani Murphy

EXCUSED: Colette Y. Machado

KIRC STAFF: Michael Nāho'opi'i, Executive Director (ED); Ka'ōnohi Lee, Administrative Officer (AO); Terri Gavagan, Commission Coordinator (CC)

GUESTS: Melva Aila; Kylee Mar (PKO); Keoni Fairbanks (PKO); Eric Brundage (Zapata, Inc.)

I. CALL TO ORDER

Chair McLean called the meeting to order at 9:00 am. A quorum was established with four Commissioners present.

II. APPROVAL OF AGENDA

Chair McLean requested that **Item VI.A. Discuss and Approve FY2012 Budget** and **Item VI.B. Review and Approve a Research Access Request from McGill University, Department of Earth and Planetary Sciences to Conduct a Non-Intrusive Hydrogeological Study** be discussed and acted upon before **Item V.A. Executive Director's Report** and **Item V.B. Review and Accept April and May 2011 Expenditure Reports** due to time constraints as Commissioners Aila and Murphy needed to leave by 10:00 am.

MOTION: Vice Chair Whitehead moved to approve the agenda with the changes stated above. Commissioner Aila seconded the motion.

ACTION: Motion was approved by all Commissioners present.

III. APPROVAL OF MINUTES

February 28, 2011 Minutes – Vice Chair Whitehead commented that she had requested the clarifications made in bold. Chair McLean stated that clarification should be made by adding to the first the sentence in the first long paragraph on page 3 to read “Commissioner McGregor stated that according to former Governor Waihe‘e’s testimony regarding this bill he had deliberately crafted the language of the act which created the Reserve to acknowledge the ‘Ohana as the trustee for the island in recognition that the state had an obligation” Additionally, Chair McLean stated that the following sentence should read “She stated he set up the island so it would not be incorporated into the corpus of the land managed by DLNR” Chair McLean also stated that on the bottom of page 4 the sentence starting with “An example of going out in 2009” should read “An example is an access going out” or “An example is proceeding with an access in 2009”

MOTION: Vice Chair Whitehead moved to approve the minutes of February 28, 2011 as amended. Commissioner Aila seconded the motion.

ACTION: Motion approved by all Commissioners present.

April 18, 2011 Minutes – It was agreed that approval be deferred due to time constraints.

VI. ACTION ITEMS

A. DISCUSS AND APPROVE PROPOSED FY2012 BUDGET

There was no public testimony regarding the FY2012 Budget. Staff presented a proposed budget for FY2012 of \$2.86 million. This represents a 25% reduction from the previous year’s budget. Staff’s goal is to come 10-15% under budget for FY2012. ED Nāho‘opi‘i reviewed his memo regarding the budget. The budget was divided into six program areas which were then divided into specific projects. The projects were then broken down into four main cost areas: labor; transportation; materials and equipment; and other direct costs.

- ❖ Commission Program area includes the cost of the Commissioners’ travel, Commissioners’ per diem and 60% of the Commission Coordinator’s salary
- ❖ Administration Program area includes most of the management and office staff that covers all the operations such as the ED, AO, outreach, administrative, and GIS staff
- ❖ Reserve Operations Program provides support for the three other programs (Ocean, Restoration and Culture) such as Base Camp operations, health and safety issues; transportation costs to and from the island, as well as on-island, are included this program’s budget.

The majority of the cost savings came from reducing non-personnel costs in Operations. This reduction was accomplished by closing Base Camp for half of the year (two dark weeks in each month). The new schedule of only two volunteer

weeks in a month allowed for a reduction in labor and a renegotiated base camp contract. It also helps with scheduling as well as cost savings for fuel and base camp supplies.

Vice Chair Whitehead requested clarification regarding the reduction in personnel cost in the Cultural Resources Management/Culture & Education Program and whether the unfilled position remains on the books. ED Nāho‘opi‘i responded that there was not enough funding to hire another person full time. This has been corrected in this year’s budget. There is only one staff position in the Cultural Resources Management program. There is a second position in the program that has been unfunded for a couple of years.

The budget for Operations is large because it provides support for all of the other programs and equipment, materials and supplies are shared across all programs. Also, the program budgets are now divided equally, somewhat, between personnel costs and non-personnel costs. Staff would need to look at personnel cuts if more cuts are needed.

The Commission requested an update on the situation with the Public Information Specialist and whether he would be returning. Staff responded that he is still on TDI (temporary disability insurance). The six month period will end in August 2011.

Specific program budget analysis review:

- ❖ **Commission Budget:** There is a 67% reduction from the previous year’s budget. The largest reduction is due to the vacancy of an assigned Deputy Attorney General. The KIRC is currently using a Deputy Attorney General from a shared pool for DLNR. There is concurrence between staff and the AG’s office that there is currently no need for a full-time AG for the KIRC. Meeting agendas are transmitted to the AG’s office for review and the AG notifies staff if AG presence is needed. They still provide consultation and reviews for legal issues. Staff recommends that eight Commission meetings for FY2012 be scheduled, with five on O‘ahu and three on Maui (scheduled quarterly).
- ❖ **Administration Budget:** There is a 16% reduction from the previous year. The largest reduction is due to the vacancy of the Deputy Director’s position. The Deputy Director’s responsibilities and duties are currently being handled by management staff. All program managers as well as the UXO Safety Specialist now report directly to the ED.
- ❖ **Reserve Operations/Access Support Budget:** There is a 16% reduction from the previous year. The largest reduction is due to the implementation of a partial closure of Base Camp for FY2012. The scheduling process based on the new 3-6-9-month planning calendar was reviewed. The Commissioners requested access to the secured portal which contains the most current KIRC access calendar for viewing. Commissioner Baker asked what effects would there be, if any, on the equipment due to the partial shut down. ED Nāho‘opi‘i responded that the camp would still be

manned by two Zapata staff during dark weeks. Mr. Brundage from Zapata added that there would be more opportunity for preventive maintenance with the dark weeks. His staff could plan to do the maintenance without having to worry about last minute accesses. There may also be a reduction of emergency technical repair trips. Zapata is also provided an updated KIRC access calendar.

- ❖ Ocean Resources Management Budget: There is an 8% reduction from last year. The largest single project for FY2012 is the NOAA Marine Debris Removal Grant to be completed by December 2011. Currently there is a problem in getting helicopter transportation to remove the trash from the island. Staff is currently checking with the Hawai'i Air National Guard to see if there is a possibility the Air Guard could use the debris removal as a training exercise. Also, staff is trying to get the scheduled aerial surveys completed through individual purchases with other vendors.
- ❖ Natural Resources Management/Restoration Program Budget: There is a 33% reduction from the previous year. The largest reduction is the elimination of approximately \$75,000 allocated for transportation of pili bales to the island and \$34,500 for the Department of Health-Clean Water Act II grant project which was completed. The major focus of the program will be the NRCS Wetland Restoration Project and the Native, Polynesian and Coastal planting project.
- ❖ Cultural Resources Management/Culture & Education Project: There is a 43% reduction from last year. This is due mostly to a correction in labor cost. There is no change in staffing. The major projects for FY2012 are site stabilization, cultural plan training and stewardship organization support. The remaining portion of this program's responsibility is to be the liaison and to coordinate other culturally based projects which consist mostly of labor time and not too much direct cost to the KIRC. KIRC previously had budgeted funds for the Ala Loa Project but the PKO has received a grant to provide equipment for that project so the KIRC does not need to provide that funding. The KIRC previously had funding for cultural plan training. EKF has a grant to conduct Papaku Makawalu training so the KIRC cultural plan training is being integrated with that program. The reduction in non-personnel costs is due to the elimination of the Bailey House Museum storage fees; the archived material is now being stored at the KIRC's Wailuku office.

The estimated balance for the KIRC's trust fund is \$8,489.832 at the end of FY2012.

Vice Chair Whitehead commented that she has concerns about the projected ending balance of the trust fund and would liked to have seen the budget reduced further. However, she can agree to this budget. She also has concerns about the Culture Program's personnel and nonpersonnel budget particularly with regards to the site stabilization of Pohaku Kaneloa which is in danger of falling. She would like to see an increase in funds for the site stabilization. She assumes that it will cost more than \$200 in direct costs especially if an archaeologist is necessary to assist the KIRC with

the stabilization process. Staff responded that most of the physical work for the site stabilization will be done in-house, particularly by the Operations Program or Base Camp staff, so that there will be no direct costs in that area. Commissioner Baker asked whether that would result in the blurring of a Restoration project and a Culture project with respect to the budget. ED Nāho‘opi‘i clarified that it would be the Operations staff, including Zapata staff, helping with this as they help all program areas. Currently, staff is waiting for the site protection plan and possibly getting a contractor on board. Vice Chair Whitehead asked if the \$2,000 budgeted for that expense is enough. Staff stated yes. Chair McLean commented if there are extensive related costs to the site stabilization that cannot be covered under the program’s budget they can be presented to the Commission as a budget amendment. Vice Chair Whitehead stated that she absolutely does not want to hear that staff was unable to move forward on the project because not enough funds were budgeted. ED Nāho‘opi‘i responded that staff has usually been able to find savings in other areas to compensate for any increases. Vice Chair Whitehead expressed concern that there is no cushion in the Culture Program funding. Commissioner Baker agreed stating that there might be additional costs if stakeholders who are reviewing the site stabilization plan need to travel to the site as the kanaka review process does not happen in front of a computer. Vice Chair Whitehead pointed out with the decrease in the frequency of the Commission meetings for FY2012, staff may have to wait two months to bring a budget amendment to the Commission during which something may happen to the site.

Commissioner Baker stated that there should be more equality between the programs in the budget. He suggested that there be more integration between culture and activity. Vice Chair Whitehead added that staff in the other programs should help the Culture Program as the Culture Program helps the other programs. Commissioner Baker stated that this is not to say other staff does not help the Culture Program but that it is hard to see it within the budget documents. ED Nāho‘opi‘i explained that the Culture Program provides a support function. It coordinates all the various projects so it does not have a lot of direct costs because the costs are built into other areas. For instance, volunteers that come and support the Culture Program are counted in the costs within the Operations Program. It provides for a more coordinated management function. Most of the cultural activities done on-island are performed by volunteers or stewardship organizations. KIRC’s function is to coordinate and provide a liaison to make it easier for stewardship groups to do their on-island activities. Based on the discussion the commission recommended that \$8,000 be added to the Culture Program budget resulting in a total of \$10,000 in the line item for the stabilization and preservation of the Pohaku Kaneloa.

Chair McLean asked what the anticipated use is of the \$10,000 in faunal restoration. Staff stated that the \$10,000 was in anticipation of working with Island Conservation using the management plan as a funding source.

MOTION: Commissioner Aila moved to approve the proposed FY2012 Budget, as amended, in the amount of \$2,868.143.77 to be in effect July 1,

2011 through June 30, 2012. Vice Chair Whitehead seconded the motion.

ACTION: Motion approved by all Commissioners present.

B. REVIEW AND APPROVE A RESEARCH ACCESS REQUEST FROM MCGILL UNIVERSITY, DEPARTMENT OF EARTH AND PLANETARY SCIENCES TO CONDUCT A NON-INTRUSIVE HYDROGEOLOGICAL STUDY

The proposal from the scientists at McGill University is to repeat experiments done in 1989 in looking for ground-water using improved, non-intrusive technology as there has been significant changes on the island in the last 23 years. Chair McLean stated that she was supportive of this research access request but also understands the importance of the questions of Mr. Manuel Kuloloio and Dr. Davianna McGregor submitted prior to this meeting. She does not feel that the project will be disrespectful or harmful in anyway as there is a requirement for a cultural monitor. This project does not lead to any future drilling or aquifer tapping. This project seeks to answer if there is any ground water and its capacity. It could provide helpful information for any future sovereign management to know what the island's resources are and their extent and if there has been any fluctuation in the water levels on the island over time. Chair McLean added that it could be a huge asset in helping the Restoration Program, and to plan restoration and cultural activities. Staff also added the ocean water would also be tested for fresh water to see if there is any seepage of fresh water into the ocean. Commissioner Aila was supportive of scientific research which could be used to make informed management decisions. Vice Chair Whitehead stated that due to the narrow scope of the project, she doubted the study would meaningfully improve understanding of Kaho'olawe's groundwater resources and asked if staff could be involved in determining the locations being tested. ED Nāho'opi'i stated that the scientists could be asked to train staff on their techniques. The U.S. Geological Survey (USGS) stated that it would be good to do a project looking into the fresh water situation on Kaho'olawe but did not comment on the proposed methods.

MOTION: Commissioner Aila moved to approve the research access request from McGill University, Department of Earth and Planetary Sciences to conduct a non-intrusive hydrogeological study. Commissioner Murphy seconded the motion.

Discussion: Commissioner Baker stated it is a good start even if it is so small a sampling but it would be something to build upon. He also suggested that some people connected to Kaho'olawe be allowed to accompany the scientists. ED Nāho'opi'i agreed and stated that that the idea is to have individuals who will be connected to the island in the long-term participate in these projects. Commissioner Aila suggested that it

would be a good idea to pair a person with traditional knowledge of the island with the scientists.

ACTION: Motion approved by all Commissioners present.

IX. ADJOURNMENT

There were no announcements from the Commissioners. It was decided to defer the rest of the agenda until the next meeting. Staff will determine the next meeting date by polling the individual Commissioners.

MOTION: Commissioner Aila moved to adjourn the meeting. Commissioner Murphy seconded the motion.

ACTION: Motion approved by all Commissioners present.

The meeting adjourned at 10:00 am.