



KŪKULU KE EA A KANALOA
KAHO'OLAWÉ ISLAND RESERVE COMMISSION

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Telephone (808) 243-5020 Fax (808) 243-5885

MINUTES OF THE MEETING

Wednesday September 24, 2008

8:00 am

J. Walter Cameron Center

Auditorium

95 Mahalani Street

Wailuku, HI 96793

COMMISSION MEMBERS

PRESENT: N. Emmett Aluli, Chairperson; Craig Neff; Charles Burrows; NāmaKa Whitehead and Milton Arakawa

ABSENT: John Waihe'e and Laura Thielen

KIRC STAFF: Michael Nāho'opi'i, Executive Director (ED); Michele McLean, Deputy Director (DD); Ka'ōnohi Lee, Administrative Officer (AO); Ray Enos, Policy Advisor (PA); Rowena Somerville, Deputy Attorney General (DAG); Nicole McMullen, Commission Coordinator (CC); David DeMark; Ellen Pelissero; Dean Tokishi; Tina Keko'olani; Bart Maybee; Alan DeCoite; Mei Mailou-Santos; Carmela Noneza; Kapono'ai Molitau; Jen Vander Veur; Charlie Lindsey; Alan DeCoite; Jamie Bruch; Christina Donehower; Paul Higashino; and Jackson Bauer

KIRC CONSULTANTS: Pualani Kanaka'ole Kanahale and Kalei Tsuha, EKF

GUESTS: Eric Brundage, Zapata; Kiki Hee, PKO; Kylee Omo, PKO; Stephanie Kowalski; and Kainoa Horcajo

I. CALL TO ORDER

Chair Aluli called the 8th meeting for the year 2008, to order at 8:10 am followed by *Pule Na 'Aumakua*. A quorum was established with five commissioners present.

II. APPROVAL OF AGENDA

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

ACTION: Motion approved by all Commissioners present.

III. APPROVAL OF MINUTES

The Commission reviewed the June 27, 2008 draft meeting minutes.

MOTION: Commissioner Arakawa moved to approve the minutes of June 27, 2008. Commissioner Burrows seconded the motion.

ACTION: Motion approved by all Commissioners present.

IV. COMMUNITY and PUBLIC COMMENT

There were no public comments.

V. ADMINISTRATIVE BUSINESS

A. Executive Director's Report

ED Nāho'opi'i gave a summary of funding received in August 2008. He next reviewed the schedule of Strategic Action Plan deadlines. Today he will present the draft Action Plan for Infrastructure and the final Resource Management Action Plan for approval. The remaining Action Plans will be presented at the November meeting. Commissioner Neff asked about changes to the deadlines in the Cultural Restoration Action Plan. ED Nāho'opi'i said that the plans are working documents and can be changed at any time. **Commissioner Neff asked ED Nāho'opi'i to call him about changes.**

ED Nāho'opi'i summarized fund development accomplishments, including possible congressional funding for UXO land management, authorization to sell excess materials and equipment and to start sales for profit through an eStore. The staff is also developing a permit process to recover costs associated with programs. It would include a permit fee that would assist with fund generation. Chair Aluli asked how much they anticipated making from equipment sales. ED Nāho'opi'i said that they did not know at this time. He said that they would probably use the 'Ōhua to move many of the things off the island and use a third party to sell.

Under Cultural Restoration, ED Nāho'opi'i reported that they have executed the partnership with State Historic Preservation Division (SHPD). Theresa Donham is finishing the burial site plans for 778 and 509 and they should be ready by the November meeting, after being reviewed by the Cultural Working Group. Work on the Alaloa trail is progressing and the Education Center at the ROC (Range Operations Center). has been repaired and cleaned and was used for Access Guide training last month.

Attached to the ED report is a memo from DAG Somerville summarizing discussions and decisions on the Kanaloa plant. Chair Aluli asked if there had been commission approval in the beginning ten years ago, and DAG Somerville replied that there had not. **Chair Aluli asked that the staff gather all information on discussions and approvals.** DAG Somerville said that other professionals who work with endangered species suggested that KIRC develop a restoration plan for the Kanaloa plant so that the Commission can set policies and discuss the goal for the plant with the nurseries. Chair Aluli asked about the permit procedure and DAG Somerville said that she has written a draft and met with staff, including Kapono'ai Molitau. A research permit would include guidelines on reporting to the KIRC and publications. ED Nāho'opi'i said that if researchers violate the conditions, the permit could be revoked. DAG Somerville said that the DLNR's Division of Forestry and Wildlife is willing to help with the drafting.

Commissioner Neff asked about the Commission's authority within the state regarding research permits. DAG Somerville said that KIRC controls access and can set further restrictions on its permit. Jamie Bruch said that US Fish and Wildlife designates and issues permits for endangered species. Commissioner Whitehead asked if KIRC needed an endangered species permit to work with the plant. DAG Somerville said that the state has a blanket permit, but they probably should go through the state botanist who holds the permit if they want to do something like collect seeds. Commissioner Burrows explained the history of the Kanaloa plant's identification and that it is now only found on Kaho'olawe. **Chair Aluli said that it was important that new commissioners and staff are briefed on the importance of the Kanaloa plant.**

ED Nāho‘opi‘i continued his report. There was a concern raised by a member of the Maui Tomorrow mailing list of whether depleted uranium was used on Kaho‘olawe. Staff cited Navy statements that there was no DU found on Kaho‘olawe and verified with the UXO database that no DU or DU-based weapon systems were found during the clean-up project. ED Nāho‘opi‘i said that there is a misconception that DU was used on Kaho‘olawe because it was used at Pohakuloa. Ellen Pelissero spoke with *Haleakala Times* and prepared a statement for the press. No one else has contacted the KIRC and no articles have been printed. Ms. Pelissero said that she advised PKO of the concern.

ED Nāho‘opi‘i continued his report saying that a successful Access Guide training session was completed. Four candidates have been designated as guides so far. Commissioner Whitehead was in the class and thanked Bart Maybee for the excellent preparation. ED Nāho‘opi‘i said that there will be another training session later in the year.

ED Nāho‘opi‘i introduced new Ocean Resources Specialist, Jennifer Vander Veur, and briefed the Commission on her experience. Dean Tokishi said that she will strengthen the Ocean Program. Commissioner Burrows asked if her study of gastropods in New Zealand was similar to ‘opihi. Ms. Vander Veur replied that the methods she used will be useful for studying ‘opihi. ED Nāho‘opi‘i said that Ms. Vander Veur and other KIRC staff will be participating with the PKO in the Malama Kaho‘olawe teacher training program and access next week. He also reported that they have offered the KIR Specialist II position to Grant Thompson. DLNR Personnel has approved the Grant Specialist position description and it is being reviewed by the Department of Human Resource Development. DD McLean said that they are happy to welcome back Alan DeCoite from leave.

ED Nāho‘opi‘i briefed the Commission on the access by members from Maui Prosecutor’s Office and DOCARE to the site of the unauthorized helicopter landing on Kaho‘olawe. He also discussed the access by DOH for HAZMAT compliance. They said that KIRC is doing well regarding waste management and recommended changing the designation to a small quantity generator, therefore eliminating the need for DOH visits. ED Nāho‘opi‘i said that they will begin moving used oil off island with the ‘Ōhua.

KIRC staff recently learned that Medevac services are restricted at night for Kaho‘olawe. The chief pilot accessed Kaho‘olawe to look at landing zones. He could land at Honokanai‘a at night as long as landing pad lights are on. In addition, they could land at Luamakika (LZ1) and Kealialalo (LZ Quail) during the day. ED Nāho‘opi‘i is looking at establishing a landing pad for Hakioawa. The Medevac is also restricted to travel during the moon and KIRC staff is considering using the moon calendar to plan accesses. Chair Aluli suggested going to the legislature about emergency services and he thought it would be better to not have to depend just on AMR service. He also suggested that a medically trained person may be necessary on accesses. Commissioner Neff expressed concern about upcoming accesses and asked that staff check with PacHelo and others to see if they could help with emergency service until a landing pad is constructed. DD McLean stated that it would be the decision of PacHelo or any other private helicopter vendor whether to respond to an emergency because of the associated risk of liability, and that medical response services were not covered under the PacHelo contract.

Commission Neff also asked that PKO be informed about emergency protocol and the Medevac schedule. Tina Keko‘olani suggested contacting the Coast Guard to see if they would assist in emergency or rescue operations. Commissioner Burrows expressed the need for an emergency plan. He also asked about the cost of emergency service, and DD McLean replied that it is paid by the KIRC. DAG Somerville said that it has been KIRC policy to take people off

island if there is any question about health; if there is a health concern on a PKO access, KIRC can make a recommendation to the PKO and then it is their decision.

ED Nāho‘opi‘i briefed the Commission on a meeting between staff, Commissioner Waihe‘e and OHA Administrator Namu‘o about the possibility of future OHA funding. OHA would be interested in CIP projects such as the Kihei site or infrastructure. Chair Aluli said that he was interested in Kaho‘olawe’s relationship with ceded lands and wished that Stanton Enomoto could have been present at the meeting. ED Nāho‘opi‘i said that KIRC will coordinate an access for OHA in conjunction with their upcoming Trustees meeting on Maui. Commissioner Neff suggested that Commissioner Burrows attend their next meeting with OHA and he agreed. Chair Aluli said that the involvement and support of Stanton Enomoto is very important because of his relationship with ceded lands and Kaho‘olawe.

ED Nāho‘opi‘i reported that he recently met with Becky Hommon of the Navy. There is a new command coming in and she will facilitate a meeting with him. ED Nāho‘opi‘i reviewed architectural drawings for the Hakioawa kauhale and said that he will be going to the mayor’s office to ask for funding. He also circulated a draft of the Strategic Plan publication.

V. ADMINISTRATIVE BUSINESS

B. Monthly Budget and Finance Report

ED Nāho‘opi‘i presented the budget report for July and August 2008. 15% of the budget has been spent for FY09. The helo costs were exceeded due to carryover invoices from last period. DD McLean said that she will include these carryovers in the next budget and the carryover will be compensated for within the budget. She explained that the first page of the report summarizes the budget and expenditures for each program and tracks fund development. Chair Aluli asked if there was an easier way to track labor costs and said that it was important that the Commission understand the accounting. ED Nāho‘opi‘i explained that previously labor was tracked by program and now it is by project. Under each project there is a labor cost for field time. Office time is under the personnel line for each program.

Commissioner Arakawa asked if staff would come back to the Commission if the budget on a project is exceeded. DD McLean replied that if the staff exceeds the budget on a project, the funds need to come out of another area of the program. Any significant changes would come before the Commission. **Chair Aluli said that he would like a workshop for the commissioners on understanding the budget. Commissioner Burrows suggested that on the first page there be a subtotal for personnel costs and the total budgeted and expended for the year. He would also like to see the remaining funds for the last two to three years.**

Chair Aluli wondered how the state mandate to cut expenses would affect KIRC. ED Nāho‘opi‘i reported that he attended the DLNR budget meeting on Monday and that the governor is planning to fund alternative energy and recreation for tourism. Chair Aluli asked about the upcoming Council for Native Hawaiian Advancement conference and suggested that commissioners be involved. The commissioners next reviewed the contracts report. DD McLean explained that the budget and contract reports are now prepared by David DeMark in Administration.

Before a fifteen minute break for Aunty Pua to set up, Chair Aluli introduced PKO members in the audience and asked visitors to introduce themselves.

VI. WORKSHOP – Presentation on the draft Cultural Use Plan by Edith Kanaka‘ole Foundation

The staff introduced themselves to Pualani Kanaka‘ole-Kanahele. Chair Aluli gave a brief history of the relationship between EKF and Kaho‘olawe that goes back thirty-three years. The EKF’s contributions to Kaho‘olawe include the naming of the Kanaloa plant and the naming of the Protect Kaho‘olawe Ohana. They suggested that the PKO access Kaho‘olawe for Makahiki. The EKF taught the PKO the cultural protocols for Lono and Kanaloa. They contributed beautiful mythology that makes Kaho‘olawe stand apart. They envisioned Kaho‘olawe as a navigational school when the Hokule‘a first visited. Auntie Pua and her sister were part of the planning group for the first land use plan that brought depth of vision to the mission of KIRC. Ed Kanahele developed the concept of wahi pana in a modern day context. They were involved in setting up the burial council that brought public attention and protection to burials. They inspired kupuna to get iwi from museums and return it to the burials. Chair Aluli said it was an honor and a privilege for the Commission and staff to work with Auntie Pua and her daughter, and that her concept of creating a “university” of traditional knowledge on Kaho‘olawe was very exciting. He introduced Kalei Tsuha and discussed her work as a cultural specialist with the KIRC and in developing a moon calendar.

Auntie Pua congratulated the Commission and staff on their work bringing the island back to life. She said that, after many visits to the island, she has developed a plan based on the relationship between the elemental forms and the land. The Cultural Use Plan gives an overall look at culture as it relates to Kanaloa Kaho‘olawe.

She started the PowerPoint presentation by explaining information gathered from the Kumulipo about three areas of knowledge, Papahulihonua (development of the earth), Papahulilani (elements above the earth) and Papanuihanaumoku (birth of living things). Cultural sites on Kanaloa Kaho‘olawe, such as the Kaneloa stone, were used during the solstice to track the movements of the sun. She showed pages of the draft “Papakū Makawalu: A Cultural Plan for Kanaloa Kaho‘olawe,” beginning with a summary and followed by recommendations and then a narrative. She said that the plan starts with developing Hawaiian Culture experts who are attuned to the island intellectually, physically and spiritually. These people will serve the island and record information.

She continued with the creation of kauhale across the island. She also said that the ocean is the island’s most valuable resource and should come first. She recommended kauhale for different aspects of nature, such as a kauhale for birds and for vegetation. She recommended a kauhale on the north side for the PKO and on the southside that should have computers, audio/visual equipment and a library. She said that it was the PKO’s responsibility to become experts. The experts should have experience on the island and a passion for it. She also suggested that Haku‘ili live on the island for a year and note all that is in nature. The plan details the types of information that should be recorded.

She asked if the audience had questions. ED Nāho‘opi‘i asked about the KIRC staff’s involvement in recording information. Auntie Pua said that they should participate and that they need to have passion for the island. Staff members asked about *pohaku* on the island and what they could have been used for. She said that it was important that they look at them in different seasons, particularly the solstices. She said that the Kaneloa stone is where the Kane and Kanaloa suns meet and is named for the gulch beside it.

Auntie Pua said that the experts are looking at what was done in the past and applying it to today. She said that another important aspect is ceremonies, which are outlined in the plan. They

connect us to the past and acknowledge the elements. She mentioned the importance of doing physical work and in keeping research on the island. Commissioner Burrows asked if this cultural model could be used at other places and she said that it could. ED Nāho‘opi‘i asked what she thought about the facilities at Honokanai‘a and their relationship to the plan. She said that she thought the buildings should be more open and dorm-like. She also suggested a separate cafeteria, library and gathering space.

Chair Aluli said that they need to include the Cultural Plan within the strategic Action Plans. DAG Somerville agreed with Aunty Pua that research done on island should support the island. Aunty Pua said that what have been done so far have been fragments of culture. Her plan gives the big picture. **Chair Aluli said that they need to think beyond the five-year plan and suggested a meeting with Aunty Pua, KIRC, PKO, Norma Wong and BCR. Aunty Pua suggested a retreat on island.**

Aunty Pua and restoration and ocean staff members next discussed how they could incorporate the observations suggested in the plan in their work. She said that she would like to talk further with restoration staff. Kapono‘ai Molitau said that he was looking forward to the training and implementing the plan, and Kylee Omo said that it was inspiring. Paul Higashino asked if Jamie Bruch and Christina Donehower could accompany Aunty Pua the next time she goes to island to study the birds. ED Nāho‘opi‘i thanked her for the presentation and said that it was important for the staff. He agreed with spending time on Kaho‘olawe and observing the environment since the staff is responsible for blending the scientific and the mana‘o of traditional thought. Aunty Pua said that if they develop cultural experts for the island, it will stand as a monument for the other islands. **Chair Aluli asked for a copy of the draft plan to begin implementing it.** She said that it was not yet ready. **Commissioner Neff asked her for updated recommendations to begin implementing.**

Lunch Break: 11:15 – 1:00

The commissioners continued discussing the presentation. Commissioner Burrows said that when the plan is finalized, they need to seriously discuss how it can be implemented and balance culture with western thought. He said that is how KIRC differs from other environmental organizations. Commissioner Arakawa said that the presentation gave a good framework for decision-making and left room for interpretation. Chair Aluli was interested in how to include it in position descriptions and into the Action Plans. Commissioner Neff said that the plan gives a larger vision and purpose when visiting the island and all that is done is for the benefit of the island. Commissioner Burrows asked how they could bring in outside experts to help.

VII. ACTION ITEMS

A. Appointment of the KIRC Vice-Chair and Re-Assign Commissioners to Task Forces

Chair Aluli appointed Commissioner Neff to be Vice-Chair.

MOTION: Commissioner Arakawa moved to accept Commissioner Neff as Vice-Chair. Commissioner Burrows seconded the motion.

ACTION: Motion approved by all Commissioners present.

The Commission discussed the realignment of task forces. AO Lee provided background of the task forces in the packets. Chair Aluli appointed Commissioner Whitehead to the CIP task force and said that Commissioner Waihe‘e expressed interest in the new Finance and Budget task force.

DAG Somerville explained that task forces were to investigate a specific matter and report to the Commission. Chair Aluli said that he was most concerned about Finance and Budget, but he was open to ideas. DAG Somerville recommended defining the specific authority for each task force. Commissioner Neff asked what the disadvantage would be of getting rid of task forces, and DAG Somerville responded that it would be less control by the Commission. Chair Aluli did not want one person with the task of the budget and it was important that they stay on top of the fundraising.

DAG Somerville explained that a task force is two or more commissioners, but less than a quorum. Commissioner Burrows said that it was important that those working with finance have the skills, experience, interest and the time. ED Nāho‘opi‘i said that it was his responsibility to track spending and fundraising and report to the Commission. Chair Aluli was concerned that it would take more of the Commission’s time without an investigative body. Commissioner Burrows recommended Commissioner Arakawa and Chair Aluli to sit on the Finance task force. **Chair Aluli appointed Commissioners Arakawa, Waihe‘e and himself to Finance and Budget and said they would evaluate the task force’s progress in December.** Two out of three commissioners must attend for the task force to convene. **Chair Aluli also asked that the Personnel task force include developing staff and that it be defined at the next meeting.**

VII. ACTION ITEMS

B. Authorize Executive Director to enter into contract for Helicopter Passenger and Light Cargo Transportation

ED Nāho‘opi‘i explained that the current helicopter contract expired on July 31st. A twelve-month extension was approved for heavy cargo. Passenger service has been handled through a procurement exemption. The IFB for passenger service was posted on August 27, 2008. Two bids were received and the best offer was from PacHelo to resume service in November.

Chair Aluli was concerned about going over budget. DD McLean explained that most transport is being done with the ‘Ōhua and the contract is only for aerial surveys and occasional passenger transport. Commissioner Arakawa asked if there was any time when the ‘Ōhua could not land. ED Nāho‘opi‘i said that they could be flexible and plan around the weather. Paul Higashino said that have been tracking the surf. **Chair Aluli said that an evacuation protocol should be developed.** DD McLean said that the ‘Ōhua could hold thirty passengers and flights could be arranged with PacHelo or another company in an emergency. ED Nāho‘opi‘i suggested planning with the National Guard.

MOTION: Commissioner Burrows moved to authorize the Executive Director to enter into a contract with Pacific Helicopter Tours, Inc. for passenger and light cargo helicopter transportation service for the period October 1, 2008 through June 30, 2009, not to exceed \$100,000. Commissioner Arakawa seconded the motion.

ACTION: Motion approved by all Commissioners present.

VII. ACTION ITEMS

C. Approval and Authorization of Executive Director to Implement KIRC Conservation Program

ED Nāho‘opi‘i explained that they have received a small grant from US Fish and Wildlife to begin a faunal restoration project. They would like to follow Hawai‘i’s Comprehensive Wildlife Conservation Strategy to implement a Conservation Plan for Kaho‘olawe. This plan will use the funding to assess the threats to native wildlife imposed by alien species.

Chair Aluli asked about staff involvement in the state plan. Jamie Bruch replied that he and Paul Higashino participated and gave input when it was circulated two years ago. Commissioner Whitehead said that every state was mandated to do a conservation strategy and gather data. DD McLean explained that Christina Donehower applied for the grant and Commission authorization is needed to start the grant work to gather data on alien species. Ms. Donehower said that the approach in data gathering for rats would be similar for other introduced predators. ED Nāho‘opi‘i said that the end goal would be to create a protected area for a seabird colony. Commissioner Whitehead commented that a seabird colony could provide for cultural use someday. Chair Aluli asked for clarification on the motion. Commissioner Burrows explained that he understood that this was a feasibility study. Another grant would be necessary and would come before the Commission to carry out any eradication. ED Nāho‘opi‘i explained that this was the first step in a faunal restoration program, a part of the Restoration Action Plan.

Christina Donehower explained that they would be looking at controlling the population of feral cats in three areas, along the cliffs, at potential turtle nesting beaches and in the wetlands. There will be trapping and monitoring to track abundance and distribution. Chair Aluli asked about the Island Conservation grant applied for two years ago. Jamie Bruch explained that the proposals were too ambitious and they did not get the grant. He said that they will present options to the Commission after the study for fencing or eradication. Chair Aluli asked if eradication could be done in four years. ED Nāho‘opi‘i said that the study will provide data to develop a plan to take to funding sources. Mr. Bruch said that there is renewed interest in seabird colonies with the threat of global warming. He also said that an eradication of mice has not been done on an island of this size. Commissioner Burrows said that it would be difficult, but they are moving towards the main goal of bringing back the seabirds. ED Nāho‘opi‘i clarified that they need Commission authorization for aspects of the study, such as allowing firearms to humanely euthanize and removing animals from the island for necropsy.

MOTION: Commissioner Burrows moved to approve a Conservation Plan for Kaho‘olawe as provided by Hawai‘i’s Comprehensive Wildlife Conservation Strategy and the Kaho‘olawe Environmental Restoration Plan *Ho‘ōla Hou I Ke Kino O Kanaloa*, and to authorize the Executive Director to implement this Conservation Plan for Kaho‘olawe. Commissioner Arakawa seconded the motion.

ACTION: Motion approved by all Commissioners present.

VII. ACTION ITEMS

D. Consideration of Request by Ph.D. Candidate Matthew J. Medeiros to Access the Reserve to Study, Collect and Remove Species of Moths at Luamakika and Honokanai‘a

ED Nāho‘opi‘i said that Mr. Medeiros is particularly looking for the *Scrankia* and *Throcopa* species on Kaho‘olawe. He is planning on collecting nine species of moths over two days for study. The recommended motion contains the KIRC’s conditions. In the future these will be part of the permit structure. **Chair Aluli said that the Commission needs to know if researchers intend to publish and to be able to review the material.** Commissioner Whitehead asked if staff had a permit procedure and DAG Somerville replied that it is being developed. DD McLean said that Mr. Medeiros was amenable to any restrictions. Jamie Bruch said that he also offered to make an exhibit box for the KIRC. DD McLean clarified that Mr. Medeiros had a protected wildlife permit. ED Nāho‘opi‘i said he is looking at moths throughout the state and how they travel to different islands if they are flightless. **Commissioner Burrows asked that samples be sent to the Bishop Museum also.** Commissioner Whitehead said that that might reduce the need to come back with the same request and that it was important that

these types of projects benefit the island. DAG Somerville said that the draft permit addresses how the research will benefit the island and if it could be done elsewhere. Chair Aluli said that a presentation to the Commission would be helpful. DD McLean said that he was planning to come to the meeting in August, but it was cancelled. **Commissioner Neff expressed concern about the inclusion of culture. Mr. Bruch said that he will be on Maui and they can give him a cultural orientation and he will be with him on island.**

Chair Aluli said that it was important that this type of research be budgeted. Commissioner Burrows commented that he thought that the research would benefit the KIRC. Paul Higashino said that he offered to reimburse the KIRC for housing. ED Nāho‘opi‘i said that they are developing a permit fee for future projects. Commissioner Whitehead said that she would be interested in any information Mr. Medeiros could provide on moths as pollinators. ED Nāho‘opi‘i said that they could ask him for a summary of the moths role in the ecosystem. Kapono‘ai Molitau was asked about cultural references for moths and could not find any. Commissioner Whitehead stated that she had heard of moths being eaten by spirits.

MOTION: Commissioner Whitehead moved to approve the request of Matthew J. Medeiros to access the Reserve to collect nine species of moths at Luamakika and Honokanai‘a, subject to the following restrictions: (a) collection may occur on no more than one night at each location; (b) no more than eight individuals per species may be taken; (c) all species shall be returned to the KIRC in two display cases, one of which will be sent to the Bishop Museum (d) the applicant shall allow the KIRC to review a draft before publication for accuracy and provide KIRC with copies of all papers, theses and/or published works that reference this work, prepared or known by the applicant, even if no species were collected and taken; and (e) other conditions authorized and imposed by the Executive Director.

ACTION: Motion approved by all Commissioners present.

VII. ACTION ITEMS

E. Approval of the Palapala ‘Aelike Kahu‘āina Stewardship Agreement with the Protect Kaho‘olawe ‘Ohana through its non-profit corporation and fiscal agent Kohemalamalama O Kanaloa from 8/27/08 to 8/27/13

Chair Aluli explained that the current agreement ended on September 21, 2008. DAG Somerville recommended an extension of the current agreement to the next Commission meeting. **Commissioner Neff said that the board members have changed for the PKF since this draft was written.** ED Nāho‘opi‘i clarified that there was an amendment that KIRC provide UXO and Access Guide training and coordinate programs.

MOTION: Commissioner Neff moved to extend the Palapala ‘Aelike Kahu‘āina Stewardship Agreement with the Protect Kaho‘olawe ‘Ohana through its non-profit corporation and fiscal agent Kohemalamalama O Kanaloa from September 24, 2008 through November 5, 2008. Commissioner Arakawa seconded the motion.

ACTION: Motion approved by all Commissioners present.

VII. ACTION ITEMS

F. Approval of Monitoring Plan & Procedures for Burial Sites Within the Kaho‘olawe Island Reserve

DAG Somerville said that an executive session would not be necessary, as only relevant staff was in attendance. ED Nāho‘opi‘i said that this is the overall monitoring plan for burials and should be in place before work begins. Commissioner Neff said that the procedures were written

by Theresa Donham, and the plan has been reviewed and recommended for approval by the Cultural Working group. ED Nāho‘opi‘i said that it sets the process for monitoring, restoration, reintering, reporting and documentation. Commissioner Neff said that the plan lists known burials. The Commission approves site specific burial treatment plans and sends copies to SHPD for concurrence. Site protection plans for non-burials would be written by SHPD.

Chair Aluli stressed the importance of having a schedule for inspections. Commissioner Neff said that it was important to check after the winter rains, and ED Nāho‘opi‘i said that the plan contains what to do if they come across a burial. Chair Aluli asked if Ms. Donham could summarize the different types of burials for their records. ED Nāho‘opi‘i said that site specific plans would be developed next with mapping and screening. Chair Aluli asked if these procedures were done before. Commissioner Neff said that they have done screening in the past.

Commissioner Neff asked why the KIRC functioned as its own burial council. DAG Somerville said that it was in HRS 6K and read the statute. He asked if the duty could be delegated. She said no. DAG Somerville explained that island burial councils only make recommendations to the department. KIRC functions as burial council and department. ED Nāho‘opi‘i asked if an advisory council could be set up to make recommendations to the KIRC. DD McLean said that an advisory group of practitioners could do that. ED Nāho‘opi‘i said that he would put together recommendations for the Commission.

MOTION: Commissioner Neff moved to approve the Monitoring Plan & Procedures for Burial Sites within the Kaho‘olawe Island Reserve. Commissioner Arakawa seconded the motion.

ACTION: Motion approved by all Commissioners present.

VII. ACTION ITEMS

G. Approval of Action Plan for Strategic Priority #4, Natural Resources Restoration

ED Nāho‘opi‘i reported that this Action Plan was previously presented at the June meeting. The main goals for Restoration for 2009 are filling-in native plants, erosion control through the NRCS and faunal restoration. The Ocean Program’s goals are monitoring and management, incorporating traditional practices, analyzing data and education and enforcement. Chair Aluli asked about the fishpond. ED Nāho‘opi‘i said that they would have to look at the feasibility of restoring it. Dean Tokishi said that they would have to research to be sure it’s a fishpond. Commissioner Whitehead said that she was not sure it was a priority and maybe it should be a long term goal. Kapono‘ai Molitau said that it could be part of the kauhale plan. Chair Aluli said he would be concerned about the coral in the area. ED Nāho‘opi‘i said that it would fit into the goals of the Ocean Management Plan.

Commissioner Whitehead said that the focus and the wording of goals for the Restoration and Ocean Programs seem disjointed. ED Nāho‘opi‘i said that he would work on that. Chair Aluli stressed coordination with the Cultural Plan. Commissioner Burrows asked about agriculture. ED Nāho‘opi‘i said that it was included under reestablishing traditional subsistence use. Commissioner Whitehead asked about the status of the marine reserve. ED Nāho‘opi‘i said that that would be covered in the annual report that is now being written. Chair Aluli said the development of schools was missing. ED Nāho‘opi‘i said that he would like to incorporate traditional knowledge into the management program. Chair Aluli asked that they spend more time on this report to see how the Cultural Plan will fit in. ED Nāho‘opi‘i asked that they send him their comments.

VII. ACTION ITEMS

H. Presentation of Draft Action Plan for Strategic Priority #3, Infrastructure

ED Nāho‘opi‘i presented the draft plan and said that the primary activities for 2009 were to streamline base camp operations and develop a kauhale master plan looking at an island village layout and sustainable energy. They will work with the architects, the CIP task force, KIRC staff and PKO. He wants to look at the management of camp, decommissioning and eliminating clutter and installing a smaller generator. Also included are improvements at Luamakika and the Hakioawa kitchen. Off-island he wants to organize the storage warehouse and submit zoning changes for the Kihei site. He said that an important goal was to shrink energy and to import and export less. They will look at lowering fuel use, installing alternative energy systems, and recycling and reusing.

ED Nāho‘opi‘i asked that the commissioners review and comment on the draft. Chair Aluli asked about the budget. DD McLean explained the monies allocated for projects this year. Chair Aluli said that they have to look at what can be cut if it becomes necessary. ED Nāho‘opi‘i said that KIRC will have to become a smaller organization and will have to consolidate operations. They discussed Auntie Pua’s idea of openness at basecamp. Commissioner Neff said that they could move the weight room to open up a gathering space, and Commissioner Burrows suggested rearranging the ROC trailers. Commissioner Arakawa said that it was important that they leverage resources and look at innovative ideas to save money. Chair Aluli asked that they consider landscaping for shade at camp. ED Nāho‘opi‘i said there was a landscape plan for Hut 10. He said that he tried to incorporate many of the things the Commission discussed on island.

VIII. PROGRAM STATUS UPDATES

A. Update on Violations in the Reserve

DAG Somerville discussed the criminal violations currently pending before the Maui District Court. She reported that the Noa case was still going and no decisions were made. The case of the illegal helicopter landing has been continued and they are discussing a fine and possible contribution for KIRC. She did not think it would go to trial. She explained that KIRC sends violators a letter and forwards their information to the Prosecutor’s Office and they notify the violator that their vessel is subject to seizure. KIRC and DOCARE have gained a better understanding from the Prosecutor’s Office of what is required to seize property.

B. Update from Limited Meeting on Kaho‘olawe, August 1 and 2, 2008

CC McMullen handed out draft minutes from the limited meeting on island for the commissioners’ review. Minutes will be approved at the November meeting. Chair Aluli said he wants a storybook put together of pictures, history and issues related to the places visited to engage the new commissioners.

Restoration Program – Paul Higashino handed out posters from the Conservation Conference done by the Restoration and Ocean programs. They addressed turbidity and sediment data. He updated the Commission of the volunteer work on the DOH grant. There have been invasive species and erosion control projects. There was a nighttime seabird survey in July. The packet included graphs showing a reduction in the rodent population. Chair Aluli thanked them for the summary of the Conservation Conference in the packets. Paul Higashino said that the staff collected paper lunch bags at the conference that would have been thrown away to use to place

seeds on Kaho‘olawe hardpan where digging is prohibited. Commissioner Whitehead discussed the panel on traditional knowledge that she participated in at the conference.

Ocean Program – Dean Tokishi reported that Cheryl King and Kapono‘ai Molitau attended a mammal stranding response conference. Ellen Pelissero assisted the Ocean staff with a presentation to the Maui summer fishing program. Mr. Tokishi said that they participated in a F.A.D. (Fish Aggregating Device) retrieval and reported that the Kanapou Cleanup in June removed 5,000 lbs of debris. Jen Vander Veur joined the Program in August. Chair Aluli asked about work with Chris Bird, and Mr. Tokishi explained that he was an ‘opihi specialist and they are working on standardizing research methods. DAG Somerville said that she is talking with Mr. Tokishi about permitting controls.

Culture and Education Program – Kapono‘ai Molitau said that Aunty Pua’s suggestion to put a library on island was good and that is part of his plan for the ROC. The Educational Center at the ROC has been painted and cleaned. He is waiting for burial treatment plans for sites 509 and 778 from Theresa Donham. He included a cultural calendar in the packets. The Hokule‘a access has been postponed. The Kaholo Ka Lani Planting Ceremony access will be October 25 through 27 with the ceremony taking place Sunday, October 26th. He is waiting confirmation on the Pu‘u Mahoe ceremony.

He explained photos on his report that show pili grass around the Kaneloa stone to divert water. Chair Aluli asked if any more permanent work has been done. Mr. Molitau referred to the notes in the packet from the student engineers that went with the PKO. Commissioner Neff said that they have to move on this project. Mr. Molitau said that plans need to be discussed with the Cultural Working group. ED Nāho‘opi‘i said that a site specific stabilization plan is needed. Theresa Donham can write it and it would come before the Commission. **Chair Aluli asked that they keep him posted. Commissioner Neff said that they need input from KIRC and PKO. Mr. Molitau said that a meeting should be scheduled soon.**

Commissioner Burrows asked about the vacant Cultural Specialist position. ED Nāho‘opi‘i said that it had been frozen. Chair Aluli asked Mr. Molitau his opinion. Mr. Molitau said that he has been managing alone, but much more would get done with more staff. He said he was happy that the Cultural Plan is being developed to give more direction. Commissioner Burrows expressed concern that help was needed in the Culture Program. Chair Aluli said that they would have to revisit the vacant position when they develop a process for the new Cultural Plan. ED Nāho‘opi‘i said that they need to learn how to apply the plan before they hire. He said that there is funding for a contract for current projects in site stabilization. Commissioner Neff handed out photos of a burial wall that the PKO had finished. **Chair Aluli said that they need to gather old archaeological reports for the archives. He also asked Mr. Molitau for a better name for the ROC.**

Outreach Program – Ellen Pelissero reported that the DVD *Kaho‘olawe: The Breath of Our Ancestors* has been duplicated to restock supplies. She assisted with three presentations in June and on the display for the Conservation Conference. She is working on layouts for the Strategic Plan, Annual Report and a feedback form. A radio spot for KIRC was recorded gratis by Skylark Rossetti and the spring newsletter has been mailed. Ms. Pelissero has also joined the DLNR Communications Division task force to develop a communications plan. She helped coordinate the CHNA Conference. ED Nāho‘opi‘i added that he has been elected to the CNHA board.

Chair Aluli expressed concern about naming the dollar amount of the budget in the Strategic Plan publication. ED Nāho‘opi‘i said that he was concerned that people think we

have a lot of money. Commissioner Burrows said that he also tells people that we do not have enough money. Commissioner Neff said that maybe the wording could be improved. **Ellen Pelissero said they would work on the wording. Commissioner Neff said that they discussed on island that they would like to review press releases prior to responding to media inquiries.**

Reserve Operations – DD McLean was happy that Eric Brundage of Zapata has been attending Commission meetings. Commissioner Neff asked about the Base Camp Manager. DD McLean said that the Manager needed to be reassigned and a new one is in place. She also reported that they have saved around \$80,000 dollars using the ‘Ōhua and passed around photos of the beach landings. Alan DeCoite explained that Hawaiian Cement donated the screens for heavy vehicles on-island to drive over the sand. He said that they should last a long time. DD McLean reported that she and other staff have started learning to crew the boat, and they are looking into additional captains.

IX. ANNOUNCEMENTS

Commissioner Neff thanked the staff and told them that their hard work was appreciated.

Upcoming Commission meetings:

November 5 in Honolulu

December 10 in Honolulu

X. ADJOURNMENT

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

ACTION: Motion approved by all Commissioners present.

The meeting adjourned at 5:00 p.m.