



KŪKULU KE EA A KANALOĀ

## KAHO'OLAWE ISLAND RESERVE COMMISSION

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### MINUTES OF THE 10<sup>th</sup> REGULAR MEETING (Revised) Tuesday October 9, 2007 9:00 AM

Cameron Center, Conference Room 1 & 2  
95 Mahalani Street  
Wailuku, Hawai'i 96793

#### COMMISSION MEMBERS

**PRESENT:** N. Emmett Aluli, Chairperson; Robert Lu'uwai, Vice Chair; Craig Neff; Charles PMK Burrows, Ed.D; and Milton Arakawa

**KIRC Staff:** Sol Kaho'ohalahala, Executive Director (ED); Ka'onohi Lee, Commission Aide (AIDE); Ray Enos, Policy Advisor-Governmental Affairs (PA-GA); Michele McLean, Policy Advisor-Special Projects (PA-SP); Kathy Kaohu, Resource Manager; Stephen Fulton, Reserve Manager; Nicole McMullen, Commission Assistant (CA); Dean Tokishi; Keone Laepa'a; Cheryl King; Kaponu'ai Molitau; Carmela Noneza; Jamie Bruch; Mei Mailou-Santos; Ellen Pelissero; Alan DeCoite; David DeMark; Bart Maybee; Lyman Abbott; Paul Higashino; and Jackson Bauer

**OTHERS:** Rowena Somerville, Deputy Attorney General (DAG); Randy Awo, DOCARE; Jamie Crimmins, Whispering Trees; Don Cameron, Pacific Helicopter Tours; Kiki Hee, PKO; Mary Santa Maria; Jeanice Barcelo, Stewards of Makena.org; Leslie Kuloloio; and Akakū: Maui Community Television

#### I. CALL TO ORDER

Chair Aluli called the 10th meeting for the year 2007 to order at 9:35 am followed by *Pule Na 'Aumakua*. A quorum was established with five commissioners present. The Commissioners and staff introduced themselves

#### II. APPROVAL OF AGENDA

Chair Aluli asked for a motion to amend the agenda. The following was the accepted order: V.A. through C. New Business, followed by VII. Executive Session, followed by VI.C. Program Updates, B. Executive Director's Report, A. Landing Craft site visit, and last, V.D. Boathouse Extension.

**MOTION:** Commissioner Arakawa moved to amend and approve the agenda, Commissioner Burrows seconded the motion.

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

#### III. APPROVAL OF MINUTES

The September 11, 2007 minutes had been sent for review to Chair Aluli, ED Kaho‘ohalahala, PA-SP McLean, PA-GA Enos, DAG Somerville, Resource Manager Kaohu and Reserve Manager Fulton. Commissioner Neff and PA-GA Enos asked for clarification on the discussion of the Kanapou cleanup on page 4. A section on the cultural component of the Kanapou cleanup was removed.

**MOTION:** Commissioner Burrows moved to approve the minutes from September 11, 2007 as edited. Commissioner Lu‘uwai seconded the motion.

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

The Commission next reviewed a draft of back minutes from March 13, 2007. Minor corrections were suggested.

**MOTION:** Commissioner Lu‘uwai moved to approve the minutes from March 13, 2007 as corrected. Commissioner Arakawa seconded the motion.

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

#### **IV. COMMUNITY and PUBLIC COMMENT**

Chair Aluli introduced Randy Awo of DOCARE. PA-GA Enos commented that it has been a pleasure working with DOCARE and that the cases they have prepared have done well in court. DOCARE officers recently went on a two-day access to Kaho‘olawe. Commissioner Neff asked about the number of officers in DOCARE. Mr. Awo explained that they had recently filled new positions and there are sixteen officers on Maui, two on Moloka‘i and one position on Lana‘i that is vacant. Mr. Awo thanked the Commission for inviting him to the meeting. He is very pleased with the efforts of KIRC in enforcement and said that it is a meaningful and productive partnership. He said the access was important for the officers to understand and appreciate what they are protecting and to connect to the land. The first group returned raving about how they were treated and what they learned. The second group equally enjoyed the experience. He thanked Bart Maybee, PA-GA Enos, Lyman Abbott, and Cheryl King for their presentations, as well as Kapono‘ai Molitau for his patience with his staff. He said that the cultural and spiritual aspects have to be the starting point, and he wanted to express how much the experience meant to them.

Commissioner Burrows asked Mr. Awo how often his staff changes and if he thought this was important to do again. Mr. Awo said that half of his staff is new and that it would always be good for them to reconnect with the land. Commissioner Neff invited DOCARE on a PKO access and asked about the protocol if a PKO member sees a boat in the Reserve. Mr. Awo said that they should radio KIRC base. Chair Aluli said that they need to have binoculars and cameras at Hakioawa. Mr. Awo asked that they get as much information as possible, and photos of HA numbers and suspects would be very helpful. **RM Fulton said he will check to make sure there are cameras at Honokanai‘a on the weekends.** Mr. Awo said that KIRC staff has become very good at getting information on violators. DAG Somerville said that she and PA-GA Enos met a year ago with Mr. Awo to work on enforcement procedures, and the prosecutions immediately became more successful.

Chair Aluli asked for any public comments. Jeanice Barcelo asked why vessels are not allowed around Kaho‘olawe. PA-GA Enos explained that the Reserve covers the island and two miles of water, and the KIRC is charged with protecting and restoring the Reserve. There is no entry without permission and a specific purpose. Trolling is allowed twice a month. Chair Aluli commented that there is still ordnance in the water, that the Navy did not finish the cleanup, the technology is not there to clean up the shoreline, and an escort is needed in the Reserve. PA-GA Enos replied that the restriction is for the protection of people and resources. Commissioner Neff explained that the land and its resources are held in trust for a future Hawaiian entity. Ms. Barcelo asked if there was current talk of transfer to a Hawaiian entity. PA-GA Enos explained

that the entity would have to be recognized by the state and federal government. Chair Aluli suggested that she see 6K and other laws on the KIRC website for more information.

## V. NEW BUSINESS

### A. Status of Cultural Use Plan Development and Timeline for Deliverables

Chair Aluli invited Commissioner Neff, Resource Manager Kaohu and Cultural Specialist Molitau to comment on the status of the Cultural Use Plan. Mr. Molitau said that Auntie Pua has not yet set the timeline for deliverables. She went on access September 28 through 30 to visit specific sites accompanied by Kalei Tsuha and her grandson. UXO Specialist Maybee also facilitated. Auntie Pua emailed that she was very pleased with the work that has been done on island and grateful for the access. She was delayed from working on the plan due to surgery. RM Kaohu said that her next access will be December 20 and 21, and then during the solstice March 2008 on ocean related studies. RM Kaohu said that they will need to look at a contract extension. They were able to visit with the PKO at Hakioawa on the 28<sup>th</sup>. Natural Resources Specialist Higashino also helped facilitate her access and showed her the restoration areas. Commissioner Neff asked if they had visited site 101, and Mr. Higashino said that they did. RM Kaohu said that they collected a lot of data and that the helicopter stood by to take them between sites. Commissioner Neff said that December 21<sup>st</sup> is a very important time for access, that she will be looking at directional forces, and that he would like to go with her. Commissioner Burrows said that he would like to go as well. Commissioner Neff said that during her visit to Hakioawa, they went to Hale O Papa. Commissioner Burrows asked about the expense account for her research and if she would need more money. Kapononai responded that it was contracted at \$75,000, and there may need to be additional funding for training. Chair Aluli asked about money for transportation. She covers her transportation cost to Maui.

PA-GA Enos said that he thought there was a memo stating a timeline for deliverables and payment. RM Kaohu said that the contract expires in December 2007, they have been invoiced for a third of the amount, and that Auntie Pua is still collecting data for the plan. Mr. Molitau reminded the Commission that Auntie Pua provided an update of her progress for the last Commission meeting. Chair Aluli said that he thought that she will be providing another update and had planned on attending a Commission meeting. RM Kaohu said that Auntie Pua spent some time in the KIRC office doing research. Chair Aluli suggested that she review the KICC report by Kawena Johnson. ED Kaho'ohalahala explained that she is trying to work within a seasonal cycle and has been delayed in what she is trying to obtain. **Commission Burrows asked that staff work with her to get a schedule of deliverables for the plan.** Mr. Molitau said that he has requested an update of where she is in the process. PA-GA Enos said that there are two parts to the budget, the revision of the Cultural Use Plan and training for staff. The training is to be negotiated. Chair Aluli reminded the Commission that there is now a Culture and Education Committee of the whole that can work on this.

## V. NEW BUSINESS

### B. Determination of the Need for Limited Meetings Pursuant to HRS 92-3.1

DAG Somerville read the recommendation for limited meetings on Kaho'olawe, stressed that decisions cannot be made and that at least four meetings should occur in FY08. The recommendation includes an Attorney General's waiver for videotaping the meetings. Commissioner Neff asked whether the Commission has met on Kaho'olawe, and Chair Aluli said they did once. Commissioner Neff said how important it was for the Commission as a whole to meet on island, and for all of the staff to visit the island. Commissioner Burrows asked if a quorum was needed, and DAG Somerville said that it was not. She explained that this limited meeting motion would cover the Sunshine Law if there were more than three commissioners present.

**MOTION:** Commissioner Neff moved to make the following findings and determinations:

1. That it is necessary to meet on the island of Kaho'olawe several times in the next fiscal year to do a site visit to better understand the Commission's statutory duties, responsibilities and programs relating to the restoration and management of the Reserve;
2. That Kaho'olawe is a location which remains dangerous to health and safety of the public due to the presence of unexploded ordnance (UXO);
3. That the Commission will make no decisions at the meetings on Kaho'olawe in accordance with HRS 92-3.1(b)(3); and
4. That the Executive Director:
  - a. Notice said meeting in accordance with HRS 92-7;
  - b. Provide minutes of said meetings in accordance with HRS 92-9; and
  - c. Seek the Attorney General's waiver of videotaping such meetings in accordance with HRS 92-3.1(b)(1).

The motion was seconded by Commissioner Lu'uwai.

**ACTION:** Motion approved by all commissioners present

## V. NEW BUSINESS

### C. Amend FY2008 Budget and Authorize Executive Director to enter into a contract for Helicopter Transportation Services

Chair Aluli invited PA-SP McLean to the table. She introduced Don Cameron, General Manager for Pacific Helicopter Tours. PA-SP McLean explained that the proposal is to amend the budget and enter into a new contract with PacHelo. An RFP for helicopter transportation was posted in August. Two proposals were received, one from PacHelo and one from Makani Kai of Honolulu. The new contract would begin November 1. PA-SP McLean explained that five people were on the evaluation committee: herself, Mr. Higashino, AIDE Lee, Logistics Coordinator Laepa'a, and Captain Lindsey. The criteria to be met were listed in the RFP. PacHelo met the qualifications for safety and experience and did better at scheduling, availability and ability to provide ground support. With the other company, we would have had to make many adjustments in how we currently operate. PacHelo adjusted down their cargo costs, making the proposals competitive financially. The contract will run one month into the next fiscal year, a nine-month term. For the contract value, we reduced our current expenditures by 40%, with the expectation of the new landing craft. The contract also allows for three one-year extensions.

The budget will need an amendment of \$350,000. PA-SP McLean said that she will check with procurement about the possibility of extending the current contract for a couple of months instead and would need to discuss the cost with PacHelo. Chair Aluli said that we are currently in the fourth month of the fiscal year, and the Commission anticipated the need to reexamine the budget. PA-SP McLean said that the Commission could move to amend the budget and enter into the new contract, provided that staff present a fuller budget proposal at the next meeting and examine the possibility of extending the current contract. When the budget was put together, they expected the landing craft to arrive earlier. Commissioner Arakawa asked for clarification on flight costs in the bid. PA-SP McLean replied that the new contract proposal is actually lower than what we are currently paying for a couple of services. There was a big increase at the beginning of this fiscal year. Commissioner Arakawa asked the reason for the large increase in costs. Mr. Cameron replied that it was because of the increased fuel and insurance costs. PA-SP McLean stated that PacHelo's costs had remained steady for a while, but with the increase costs of fuel and examining insurance, costs increased. KIRC started taking a greater role in purchasing from Parsons and had to rely more on their ground support, which they had not

charged us for, but is now acknowledged in the new contract. We have been including more special conditions, scheduling issues and generally making more demands on the vendor.

Commissioner Lu'uwai expressed confusion about the motion. PA-SP McLean said that the proposed contract is just over \$500,000, which will require an increase of \$350,000 to the budget. We have already spent around \$400,000 that was earmarked for helo transport. The new contract will cover through July of next year.

Chair Aluli asked how the staff monitors helicopter transportation, with different programs using helo transportation. PA-SP McLean explained that the helo transportation is accounted for, but not monitored. Access request forms are approved, and the specific program is indicated on the schedule. Invoices are checked against the manifest and the flights are indicated. Invoices are separated between passenger and cargo. Programs are not currently billed for helo transport, but the cost is used to calculate the DOH reimbursement. She does not believe that staff tracks the number of flights or how many units. In the contract, the number of units are estimates. ED Kaho'ohalahala explained that with the new Quickbooks spreadsheet, the transportation could be tracked and quantified. **Chair Aluli asked that staff start to track helo transportation by program.**

Commissioner Neff asked if there was prioritization of flights. ED Kaho'ohalahala explained that the necessity of an additional flight is considered if there is just one extra person. Scheduled flights are maximized. Programs drive much of the scheduling. Commissioner Neff stated that he did not want the cultural program to be left behind.

Mr. Cameron said that he sees helo costs coming down. The fuel has been topped off and the new generator has lowered consumption. Commissioner Neff thanked him and the rest of his staff, and said that they have been very supportive of Kaho'olawe. PA-GA Enos asked how long PacHelo has been involved the Kaho'olawe. Mr. Cameron explained that their partnership goes back to clearing of the goats before the cleanup.

**MOTION:** Commissioner Arakawa moved to amend the Fiscal Year 2008 budget for helicopter transportation services by increasing the budgeted amount from \$600,000 to \$945,815, and to authorize the Executive Director to enter into a new contract with Pacific Helicopter Tours, Inc. in the amount of \$504,750, for the provision of helicopter passenger and cargo transportation services from November 1, 2007 through July 31, 2008. Commissioner Burrows seconded the motion.

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

Commissioner Arakawa agreed with the Chair on keeping track of helo expenditures to provide for fair allocation. Alan DeCoite, KIR Specialist III, stood and spoke as an aviation expert and historian of the possibility of using fixed wing aircraft to reduce transportation cost. He knows Tommy Hauptman has an aircraft, and there is a portion of road at LZ Quail that could serve as a landing strip. It would be easier to fly than truck through certain areas. Chair Aluli asked what had happened to the proposed landing strip for the cleanup at Kealialalo. Mr. Higashino said that the proposed strip faced in the wrong wind direction and it was found that helicopters reduced transit time. Mr. DeCoite mentioned the usefulness of small aircraft in Alaska, and Commissioner Burrows agreed and said that he had seen them in operation. Mr. DeCoite asked that the Commission consider a test of fixed wing aircraft.

## VII. EXECUTIVE SESSION

**MOTION:** At 11:00 am Commissioner Arakawa moved to enter into **Executive Session** - Pursuant to Chapter 92-4 & 5 (a)(2) the Commission will resolve into executive session to consult with legal council on personnel issues where consideration of matters affecting privacy will be involved. Commissioner Lu'uwai seconded the motion.

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

The commissioners, ED Kaho'ohalahala, DAG Somerville and CA McMullen resolved into Executive Session. Bart Maybee, PA-SP McLean, PA-GA Enos and AIDE Lee were later asked to join the session.

**MOTION:** Commissioner Arakawa at 1:05 pm moved to report out of Executive Session. He reported that the commission met regarding personnel issues and no decisions were made. Commissioner Lu'uwai seconded the motion.

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

## **VI. OLD BUSINESS**

### **C. Program Status Updates**

Natural Resources Specialist Higashino presented the Restoration program update. In September 34 volunteers went to Kaho'olawe on the DOH watershed grant. Groups include Pacific Century Fellowship, Maui Division of Forestry, and the Sierra Club. They completed 1240 hours. For the 1 and 1/2 million dollar grant for a three-year period, we have completed 71% of our obligation to match funds. We are one month and a half into year number three. The volunteers have been working to prepare for the planting season by weeding, working on irrigation lines, fertilizing and monitoring growth. The fourth billing for the DOH grant should be submitted on October 14. The USGS was on island to measure erosion pins. He will have an update at the next meeting with the results.

Mr. Higashino documented a rainfall event on Kaho'olawe showing an overflow of the catchment intake. Chair Aluli asked if the staff were aware of this problem before. Mr. Higashino said no, and that most of the rains are from Kona storms. Even the smaller amount of rain overflows the intake. Commissioner Lu'uwai asked if the screen was clean, and he replied that it was. Mr. Higashino said that it is the six-inch intake that cannot handle the initial rainfall. Chair Aluli said that he had talked to Deepak about it before. Mr. Higashino said that they are considering putting barriers in the gutter system to slow down the flow. Mr. Higashino said they will see what they can do before they try digging up a pipe or putting another in. Commissioner Burrows asked if the rainfall filled up both of the large tanks. Mr. Higashino replied that it filled one and a half inches, and they are emptying tanks 1 and 2 and putting into tank 3. Commissioner Lu'uwai asked if the solar pumps were working and said that there was flooding in Makena that day. Mr. Higashino replied that they are working well.

Commissioner Burrows asked about the rate of success of the planting. Mr. Higashino replied that last season, there was an 80-90% success rate once the plants were on the irrigation line. For those that failed, the emitters were not put in or were faulty, some plants were put in too late or they forgot to water them. Commissioner Burrows asked if all the plants were still dependent on irrigation, and Mr. Higashino replied that they were right now.

Commission Neff asked about rust on the screws in the catchment. Reserve Manager Fulton said that the contract called for galvanized screws. He thinks that they will have to consider stainless steel. Commissioner Lu'uwai asked if the roofing was being made brittle by the sun. Mr. Higashino said that most will over time, but this was supposed to be the best and is a light color. Commissioner Neff is worried about deterioration, and he thought that new screws would be a worthwhile investment, as the plants are dependent on the catchment. Chair Aluli said that he was concerned about woodrot in one of the pictures.

Commissioner Neff asked when Lopaka was starting with the Restoration program. Mr. Higashino replied October 22.

Chair Aluli asked if they would have a solution to the rust problem by the next meeting. Mr. Higashino said that they would talk and bring ideas. ED Kaho'ohalahala asked if they resolve the corrosion, that they consider installing a photovoltaic on the catchment. Commissioner Lu'uwai commented that they would need to have a use for the electricity. ED Kaho'ohalahala said that they could use it for camping at the LZ1 area. Commissioner Lu'uwai responded that it would require an electric line or batteries. ED Kaho'ohalahala said that the batteries could be recharged by solar. PA-GA Enos asked if there was still a warranty on the catchment, and Mr. Higashino replied that it was finished. Mr. DeCoite suggested coating the roof with a rubberized lining to remove the oxygen.

**Chair Aluli asked if Mr. Higashino could present his work for the Conservation**

**Conference.** Mr. Higashino said that he will put a presentation together to give to the Commission. He said that he presented ten years of restoration photos, including recent work. Resource Manager Kaohu said that Mr. Higashino also presented at a US Forestry Services workshop. Mr. Higashino said that representatives from Micronesia and Guam came to Kaho'olawe for a workshop. Commissioner Burrows asked if it was the same presentation for the CNHA conference. He said no, that his staff presented a poster.

Ocean Resources Specialist Dean Tokishi presented the Ocean Program update. He said that Jaime Bruch, Natural Resources Specialist, and Cheryl King, Ocean Resources Specialist, took part in a project to monitor petrel on Lana'i with DoFAW. Mr. Tokishi and Ms. King took the HAZWOPER refresher. Mr. Tokishi handed out CDs of the BWET grant curriculum. For the bottomfish-tagging project, on September 13 they retrieved data from the buoys. The transition data should be available in January. Mr. Tokishi said that they have been trying different techniques for 'opihi monitoring, which he considers a unique and important resource that is harvested heavily elsewhere. They completed an aerial survey on September 19<sup>th</sup>. The sightings are documented in the program update.

Chair Aluli asked if the curriculum was the final product with the BWET grant. Mr. Tokishi explained that they have also been doing outreach with schools and delivered twenty-two kits of resource materials. The next step will be completing the final report for the grant. He would like to post the lessons plans on the website. Chair Aluli said that the commissioners should review the material. RM Kaohu said that the participating schools would like to attend the next Commission meeting. Chair Aluli was happy to hear that and said that he would leave time for them.

Commissioner Burrows asked about relationships with NOAA and the Papahānaumokuākea Marine National Monument and if their funding could be tied into projects for Kaho'olawe. Mr. Tokishi said that they are working closely with NOAA, and the staff has received training from them. ED Kaho'ohalahala said that NWHI receives federal grants from NOAA and the Fish and Wildlife Services. Many of the grants are written by UH research departments and, we could access the same grants. Commissioner Burrows said that KIRC should get the UH researchers involved in Kaho'olawe.

**Commissioner Lu'uwai asked if he could have a copy of the bottomfish catch reports.** Mr. Tokishi said that he will have to speak with DAR, and they may go directly to the O'ahu office. Reports from the KIRC tagging project should be available in January.

Cultural Specialist Molitau next gave the Cultural and Education Program report. He said that on September 20, he and Commissioner Neff met with the working group to prioritize cultural sites and discussed sites 101, 156A, and 473. The working group will continue to meet and to provide direction to the culture and education program. The Maui/Lana'i Burial Council met and approved the burial treatment/preservation plan for the Olsen site. They are waiting for the letter of approval. He found an opportunity for funding at the CHNA conference. There is \$875,000 available through the Hawai'i Tourism Authority for Hawaiian cultural programs that

affect the community and the tourism market. The grant is due November 1<sup>st</sup> and he asked for kokua for the writing. ED Kaho'ohalahala said that HTA provided funding for the interpretive trail. Mr. Molitau said that that funding fell under a different category. They currently fund nineteen organizations and cultural programs. There are other 501c organizations, but no government agencies. Commissioner Burrows said that the grant is a tedious process, funding \$5-\$10,000 to \$100,000 projects. Mr. Molitau said that it is a one-to-one match with volunteer hours and funds. Chair Aluli said that if we do not have the resources to develop this grant in house, there are members of the PKO that would like to help. Commissioner Burrows agreed, but said that they needed to work fast. Mr. Molitau said that he asked PA-SP McLean and AIDE Lee for assistance. Chair Aluli said that ongoing research is not currently in the budget, but very important with the adze discovery.

Theresa Donham accompanied him and RM Kaohu to the sites for stabilization (101,156A and 473). It was very beneficial that the PKO members were there. Commissioner Neff thanked Mr. Molitau, RM Kaohu, Theresa Donham for making it happen and working together.

Mr. Molitau said that the Planting Ceremony will be October 22 at 9am in collaboration with the PKO. KIRC staff will help facilitate and fifteen kua will come from Hakioawa. There will be forty-six staff and cultural practitioners coming over on Trilogy. There will be a nice number of staff in attendance. The Trilogy will be dropping off at 10am Sunday. Monday will be the ceremony and lunch will be at Honokanai'a. Trilogy will be picking up and will be bringing over the restoration group. They will be back at Maalaea at 4pm. He apologized for not giving the commissioners formal invitations. Now they can because of the limited meeting approval. Commissioner Neff asked if they would invite Rene Silva and said that for the 'Ohana coming up, they will have to hike up their gear to the Trilogy. Mr. Molitau replied that he will help and work it out with RM Fulton and RM Kaohu.

Commissioner Burrows said that he was concerned about the hiring of a Cultural Specialist. The state has delayed the process and the applicant is now seeking employment elsewhere. He would like to send a letter of concern to the hiring division of DLNR. He asked why it is taking so long. DAG Somerville suggested that discussions of hiring should be done in executive session.

Chair Aluli asked that they discuss the new information that has come to light on the adze. It has been called a "magic discovery" in the news. Chair Aluli asked that they discuss what the new scientific information is telling us, and where the researchers want to go now. PA-GA Enos and AIDE Lee have been involved in contacting the principles. He invited Uncle Les to speak. He was one of the first 'Ohana volunteers in 1978 when they were pushing for the speedup of the survey. Uncle Les was concerned that the KIRC make research the highest priority with this discovery. He asked why this research was not here instead of Australia. He asked what is being done to restore and monitor cultural sites and that the reports need to be compiled and studied. He said that now Kaho'olawe takes the lead in the study of the origins of Hawaiian history.

Chair Aluli said that he is excited and they are collecting the papers, straightening out the story, and getting commitments for where people want to go next. PA-GA Enos said that he e-mailed the scientists. Marshall Weisler sent him a coral study and will be coming in November and December. Chair Aluli said that one of the sites with the coral on Moloka'i dates to 1100. He is trying to understand the research: hydration studies and isotope studies. Chair Aluli said that he wants Hawai'i students doing the research. Mr. Molitau said that the new data reaffirms the oral history. Chair Aluli was hurt that they did not contact the KIRC, but with scientific papers, they were not allowed to talk to anyone before print. The University of Queensland is doing this exciting research, not Hawai'i's universities. Uncle Les did not know that KIRC was not contacted, and he wondered what else from Hawai'i is being researched. Commissioner Lu'uwai said that the Smithsonian was buying back Hawaiian artifacts and bringing them back to the US. **Chair Aluli said that they need to get a working group together fast.** Commissioner Burrows said that he met a scientist who found what he thought were Polynesian chicken bones in Chile.



He said that there is a New Zealand or Maori style of war club found in South America. With this new geochemistry, there may be other revelations. Chair Aluli thanked Uncle Les for the spark. Commissioner Neff sees this discovery as an opportunity for cultural exchange from Hawai'i to Tahiti to South Pacific. Commissioner Lu'uwai said that the Maoris he visited had strong ties to Maui.

Outreach Specialist Ellen Pelissero reported that they have finalized the indicia, which will cut bulk-mailing costs in half. She reported that they are doing a joint piece with the PKO in the newsletter, which she is working on now. She has received \$300 in \$50-dollar donations, two from volunteers, as well as the architectural plans of the boathouse and the reprinting of the brochures that were donated. She participated in HAZWOPER training and has drafted a unified message in response to the trial. She and Jackson have added e-mails of volunteers to the mailing list database to maximize contacts. They have also been working on editing the volunteer packets. Commissioner Neff suggesting adding PKO volunteers to the list and to keep track all volunteer contact information. Ms. Pelissero said that PKO members are on the mailing list, but said that she would be happy to include a database of volunteers. She suggested that he check with Kim Birnie on the feasibility of including PKO volunteers. Commissioner Burrows asked if the process of volunteering and the forms were the same. Ms. Pelissero thought that they were. Commissioner Burrows asked where all the records were stored and stressed the need for coordination. RM Kaohu said that the volunteer form is the same, and the information is entered into a database. PA-SP McLean said that we have everyone's emergency contact information who volunteers for KIRC or PKO as well.

Reserve Manager Fulton gave the Reserve Operations update. The FAA generator is working well. There are currently 156 days of fuel and the bottled water has been delivered for the rest of the year. The Notice to Proceed for the spill removal was sent to PacHelo September 24. They will be requiring a risk assessment report for surface runoff and groundwater contamination. He thanked Charlie Lindsey, Keone Laepa'a, and Bart Maybee for the success of the DOCARE officers' access. He also thanked Kaponu'ai Molitau, Cheryl King and Lyman Abbott for their contributions. Commissioner Burrows asked about the energy usage in kilowatts. RM Fulton replied that after incorporating energy conservation measures, current usage is 40-45 kwh per day, down from 65-70 kwh.

Commissioner Burrows said that he asked RM Fulton about other alternative energy resources. The military base will be testing a new model of wave generator able to generate 40 kwh. **RM Fulton said that he will conduct the research and provide a report on this for the Commission at the next meeting.** Commissioner Burrows said that the military is able to get this technology through federal grants. He would like us to pursue the same sources to get this option for Kaho'olawe. **Commissioner Lu'uwai asked that he look into the legislative program for alternative energy.**

Commissioner Neff reported that they have two AED at Hakioawa and the lua has been greatly improved. Kiki Hee mentioned that the defibrulator that KIRC staff said was not returned, and they looked for at Hakioawa, was later found at the KIRC office. Also the radios and batteries for their PKO access had not been charged. She documented it in the final report for the huaka'i.

## VI. OLD BUSINESS

### B. Executive Director's Report

ED Kaho'ohalahala handed out draft copies of the Mālama Kaho'olawe curriculum for the commissioners to review. Topics cover the sea, voyaging, social studies, biology, and earth science. Each unit has five lessons. Thirty teachers came to the KIRC office the day before their access to go over the curriculum. They began to implement the curriculum on Kaho'olawe. Mr. Molitau and RM Kaohu facilitated the meeting at the office. The teachers are excited about their

opportunity to implement the lessons. The teachers will provide a report on their accesses. The curriculum will be evaluated again after the access.

The questions asked in the units meet the Hawai'i content standards. For the marine lessons, they ask why the Reserve is needed around Kaho'olawe, and how marine resources are used where the students live. For the voyaging lesson, they ask why Kaho'olawe was important for the training of navigators and why it is important today. The social science unit asks how has human activity impacted Kaho'olawe and what is being done to heal and realize the vision for its future. A second social science question is what can we apply to resolve the environmental justice issue, as well as malama or care for their home island. The biology unit asks what proposals for reforestation teach us about the carbon cycle and aloha 'āina. The earth science unit asked how the island location influences weather, currents and how human activities affected cycles on the island.

ED Kaho'ohalahala said this curriculum, part of the strategic plan, should be implemented in schools next year. To follow-up, the teachers will have another access. It was exciting to work with them. Commissioner Burrows asked once it is finalized, how will it be used in the classroom. ED Kaho'ohalahala responded that there is a teacher-training component in the grant, although teaching the units is not required. The curriculum is for grades seven through twelve, but only grades ten through twelve are being considered for study on Kaho'olawe. Chair Aluli asked if Kamehameha schools was participating. ED Kaho'ohalahala said that the thirty teachers came from all over the islands and from private, charter and public schools. Kiki Hee said that there were representatives from Kamehameha. Commissioner Lu'uwai asked how the units addressed the religious aspect. He said that they are designed to fulfill the state and national standards. Commissioner Burrows said they will teach about the history and culture, not religious practice. Commissioner Arakawa was impressed with the units, and Chair Aluli was happy to see George Helm mentioned.

PA-GA Enos asked how we ensure the curriculum is used if there is no requirement. ED Kaho'ohalahala explained that it is a DOE decision to make mandatory curriculum. The key is the training component and to build a large core group of educators. Chair Aluli said that it was up to us to have access and outreach to educators and students. Ms. Hee said that kua were involved in all the lessons, as well as Mr. Molitau and Mr. Tokishi. Mr. Molitau said that he was concerned that curriculum like this could get lost with No Child Left Behind (NCLB). Chair Aluli replied that that could happen, but we need to focus on the core group of teachers. Commissioner Burrows reminded them that the curriculum fulfills NCLB requirements. Chair Aluli recommended that all kua study the curriculum. Ms. Hee said that the teachers discussed having classes for kua. Commission Burrows suggested a virtual video program, considering the cost of travel. ED Kaho'ohalahala said that the next phase will occur in May when they will finalize the curriculum, and Mr. Molitau will be working directly with the project.

ED Kaho'ohalahala next handed out a schedule for follow-up meetings of the 2050 Sustainability Task Force. He participated at the summit along with Commissioner Burrows. Kaho'olawe needs to be involved in the decision-making. There has been a lot of community input. The ability to be sustainable is also part of the mission and goals of the KIRC. They are considering food, long-term living and economics. He encouraged all of the commissioners to stay involved. He said that twelve high school students were asked where they saw themselves in thirty-five years, and none saw themselves in Hawai'i. Commissioner Burrows said that it even shocked the students that none planned to stay. He asked that they work with OHA and AHCC, which are working on a Hawaiian cultural sustainability plan. ED Kaho'ohalahala said that there were other resources on the website.

Chair Aluli thanked David DeMark for the new budget reports that are easier to read. ED Kaho'ohalahala explained that they cover expenditures for the months of July, August and September, balance remaining in the budget currently and the percentage spent. Chair Aluli

asked about out-of-state-travel, which was Commissioner Lu‘uwai’s trip two weeks ago. Commissioner Neff asked about parking and per diem expenses, which were for a conservation conference on O‘ahu. RM Kaohu said that the conference was budgeted for the last fiscal year, but the reimbursement fell in the next. Chair Aluli pointed out the Reserve Operations budget is 23%, which is in line for the quarter. He pointed out the separation of cost centers and CIP. The formatting will help us track more closely. ED Kaho‘ohalahala said that Fiscal tracks the trust fund. Chair Aluli asked that we ask Fiscal to send reports on more of a quarterly basis.

## VI. OLD BUSINESS

### A. Report on Landing Craft Site Visit

RM Fulton reported that Commissioner Lu‘uwai and Charlie Lindsey went to Washington to inspect the new landing craft. Fifty-nine percent of the cost has been paid. The vessel was fifty percent completed and should be between seventy and seventy-five percent completed now. Commissioner Lu‘uwai reported that they were putting in the big engines when they left. The transmission that he wanted comes with the engine. He has to put it in neutral when it hits the beach. If it gets clogged, he can put it in reverse and blow it out. There is a winch for the anchor and one in the back, as well as rope storage and a dive ladder. It is high-tech push button system, which is complicated to learn and that they should learn from the manufacturer.

RM Fulton asked if the radar GPS was installed. Commissioner Lu‘uwai said there were just antennas. Chair Aluli asked about whales. Commissioner Lu‘uwai replied that they will have to keep the speed down and have a visual watch. RM Fulton said that they expect delivery in mid-November. There is a solicitation for a truck to pull it. Mr. Laepa‘a and Mr. Lindsey will return to Washington for sea trials. He is requesting that a manufacture’s representative come to Maui at their expense for training in ocean conditions.

RM Fulton presented the cost analysis of the landing craft, including cost of the boat inspection. Chair Aluli said that the first presentation was about \$400,000 and that was the amount budgeted. The total is now \$786,000. RM Fulton projected the operating cost at \$52,000, including 118 trips a years and 1.2 trips a week. Chair Aluli asked about the spill contractor. RM Fulton said that it was a requirement of the spill plan to have an emergency response spill contractor. He has not yet submitted the RFP. The budgeted item is \$50,000, only in the event of a spill. He included a \$5,000 retainer as an estimate. Commissioner Lu‘uwai thought that the fuel companies did not need a contractor. **RM Fulton will find out if the fuel companies require a spill contractor.** Commissioner Lu‘uwai said that Carey Morishige discussed training for spill response at the last meeting. RM Fulton said that there will be training for staff in the deployment of the booms. Chair Aluli asked what are the allocated labor costs. RM Fulton said they are the in house staff. RM Fulton brought down the helo cost and fuel consumption from the May report and included bottled water for one year. Chair Aluli said that he thought that we were moving away from bottled water. RM Fulton replied that they are. The capital costs plus the operating costs come to \$838,000, with a break even time of 2.4 years. He will continue to look at reducing the helo costs.

Commissioner Lu‘uwai said that he did not think it was practical to load fuel at the boathouse. RM Fulton said that the empty trailer with the fuel tanks would go on the boat first. The boat is moored on the dock and Maui Oil will fill the tanks while on the barge. He discussed this with Maui Oil, DOBAR and environmental people. Commissioner Lu‘uwai said Ma‘alaea was used for the cleanup, and they could fuel Monday, Wednesday and Friday. RM Fulton did not think that they were on the state gas system, but he will check. ED Kaho‘ohalahala said that the state rate is \$2.70. Commissioner Lu‘uwai said that he pays \$2.60 for fuel delivered to his boat. PA-GA Enos was concerned about restrictions about loading fuel over the water. RM Fulton said that DOBAR and the Maui harbormaster have formally signed off on the spill plan, which clearly identifies the procedure. Chair Aluli said that they need to check with personnel, job

descriptions and unions concerning loading fuel and supplies. RM Fulton said that he will look into it some more. He said that another expense may be for a staff member to get a CDL on state roads. That costs around \$3,000. Commissioner Lu'uwai said that the boat staff should have another person, and now there are only three. ED Kaho'ohalahala said that there will be program staff as well.

Chair Aluli asked who else looks at the cost analysis. RM Fulton said that he, Mr. Laepa'a and Mr. Lindsey have been working on it. Chair Aluli said that they need to look at how to best present cost analysis to the Commission so that they know exactly what they are investing in. ED Kaho'ohalahala recommended UH students that are doing a practicum in cost analysis. Chair Aluli said to start thinking about outside help for these large capital projects. PA-GA Enos asked if it was possible to go into executive session. Chair Aluli said that they still need to do the boathouse approval. RM Fulton said that without the approval, the plans would be delayed another month. DAG Somerville said that discussing liability issues was more important than the boathouse approval at this time. Chair Aluli said that they will go into an unanticipated executive session.

**MOTION:** At 3:45 pm Commissioner Arakawa moved to enter into an unanticipated **Executive Session** - Pursuant to Chapter 92-5 (a)(4) the Commission will resolve into executive session to consult with legal counsel on matters pertaining to the Commission's liabilities.

Commissioner Lu'uwai seconded the motion.

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

The commissioners, CA McMullen, DAG Somerville, ED Kaho'ohalahala, PA-SP McLean, and AIDE Lee resolved into executive session.

**MOTION:** Commissioner Arakawa at 4:00 pm moved to report out of Executive Session. He reported that the commission met regarding liabilities and no decisions were made. Commissioner Neff seconded the motion.

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

## V. NEW BUSINESS

### D. Authorize Executive Director to enter into a contract for the construction of the Boathouse Extension at the Kihei Site

RM Fulton introduced Don Roth of 3D Builders and Design. As a volunteer, he helped build the generator shed and has volunteered to build a water catchment at LZ Squid. PA-SP McLean said that it is proposed to amend the FY08 budget, and enter into a contract. We received two proposals. They came in \$100,000 less than the other bidder. There are concerns with this budget. If the Commission would like to defer, we can save some of the analysis for next meeting. PA-SP McLean asked the contractor if he would still be able to mobilize in a couple of weeks if the approval was differed another month. Mr. Roth said that he would have to check on the schedule. He said that he was planning to start within two weeks, order materials and do the excavation and concrete work. From now, he estimated eight weeks to completion. RM Fulton said that he submitted a letter to the county for an exemption from permit. PA-SP McLean said that it helped that it was an addition to an existing structure. Chair Aluli said that they would like to look at the approval again next month and examine the budget. He told RM Fulton that he had a lot of questions and would like to use this approval as a model for planning. He will table the motion for now to amend the budget. Chair Aluli said that they were venturing into new territory. He thanked Mr. Roth for coming and thanked RM Fulton and PA-SP McLean.

## VIII. ANNOUNCEMENTS/FYI

DAG Somerville updated the commissioners on the Armitage case that they are looking at moving the trial from December 7 to January 25. Chair Aluli asked about Liquid Robotics. ED Kaho'ohalahala said that he contacted Mr. Rizzi, but he said that he did not think that the Commission was interested in the technology following the last meeting. Chair Aluli and Commissioner Burrows said that they thought we would continue to work with them. Chair Aluli thought that it was an exciting proposal, but would like it off the table if it were not going to move forward. **He asked that ED Kaho'ohalahala write them a follow-up letter with the questions and concerns that were brought up at the last meeting by PA-GA Enos and Davianna McGregor.** Chair Aluli would like to see the questions in line when projects are brought before the Commission, and felt that they set the standard with this presentation. Commissioner Burrows said that the concerns are environmental and cultural impacts, as well as the role of DOCARE. Commissioner Lu'uwai asked about the timeline for the sea trials. ED Kaho'ohalahala said that they would take place over three days and run along the south side in the pali area. Chair Aluli asked that he apologize from the Commission for the misunderstanding and tell them that we would like to investigate the project further.

Ocean Specialist Cheryl King reported that the lieutenant in charge concerning the military assistance in the cleanup of Kanapou has been on vacation and the process has stalled. Carey Morishige is in communication with him. PA-GA Enos said that he contacted Ms. Morishige last week.

ED Kaho'ohalahala formally announced his retirement and said that he has sent his official letter of resignation to personnel. His retirement date will be January 1, 2008. Chair Aluli said that Outreach Specialist Ellen Pelissero has prepared a notice of the retirement. Chair Aluli said that he anticipates learning from and working with him in the interim. Commissioner Burrows thanked ED Kaho'ohalahala for his work with the staff, programs, the public and his future vision. He hopes he will continue to be with us. Commissioner Lu'uwai said that he enjoyed working with ED Kaho'ohalahala, and Commissioner Arakawa thanked him for his many accomplishments.

Commissioner Burrows reported that he will be attending the Alaska convention of the Association of Hawaiian Civic Clubs. He considers it important to maintain a relationship with this largest and oldest of Hawaiian organizations. He and Chair Aluli will participate on a panel on safeguarding sacred places. There will be resolutions concerning energy and global warming and support of indigenous peoples. He would like to bring OHA to Kaho'olawe, to learn about our needs and how they could help us, and he would like to have staff and PKO involved in hosting.

Chair Aluli said that this is Commissioner Burrows and Commissioner Lu'uwai's last eight months, and we need to prioritize their work and dreams. Commissioner Neff asked about the adze. Chair Aluli said they will meet as soon as they can. Commissioner Neff thanked the KIRC staff in attendance for their efforts in the field. PA-GA Enos suggested that Commissioner Burrows have OHA talk to the KIRC staff soon about an access. **Chair Aluli said that he will talk with Stanton Enomoto and Commissioner Waihe'e about the future access.**

**The next KIRC Commission meeting will be November 6 in Honolulu.**

## IX. ADJOURNMENT

**MOTION:** Commissioner Arakawa moved to adjourn, seconded by Commissioner Lu'uwai.

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

The meeting was adjourned at 4 p.m.