

# Executive Director's Report

---

*Kaho`olawe Island Reserve Commission Meeting  
August 10, 2012*

## **Budget, Finance and Funding**

**FY12 Expenditure Report and Budget Variance:** See attached variance report.

**Grant application update:** See the attached Grant Status Update and accompanying grant narratives.

## **Plans, Policies and Procedures**

**Long-range Scheduling:** See attached.

**Stewardship Meeting:** KIRC Executive Director Nāho`opi`i, Administrative Officer Lee and Culture Project Coordinator Gapero along with the Deputy Attorney General Somerville met with PKO Representatives Davianna McGregor and Kylee Mar for the regular stewardship agreement meeting on July 13, 2012 at DLNR. The PKO announced that they purchased General Liability insurance coverage. The Deputy AG began evaluating the insurance policy that was forwarded to the KIRC to determine what activities are covered under the policy. The State of Hawaii Office of Risk Management will most likely make the final determination that the insurance policy is sufficient.

The group reviewed the list of KIRC approved activities and defined some key terms when discussing the stewardship agreement. The group agreed to the term "authorized activities" as those activities permitted within the Reserve as specified in HRS 6K-3, "stewardship agreement authorized" as those activities approved in the stewardship agreement section 2 and lastly, "KIRC approved and authorized" as those activities that have been formally approved by Commission decision as meeting the criteria of Section 8 of the stewardship agreement.

**Bio-Propecting Issues:** At a previous Commission meeting a question was raised regarding the need for a policy on bio-propecting. Bio-propecting was defined in a 2004 Senate Bill (SB643) as the "collection, removal or use of any biological or genetic resources of any organism, mineral or other organic substance found on public lands of Hawaii for scientific research or commercial development." The State of Hawaii Legislature took up the issue of bio-propecting on State properties in 2006 and established an advisory group to develop policy recommendations for legislative consideration. A 2006 report was generated that explored the problematic issues concerning the fair and equitable sharing of benefits arising from biological resources that are held in trust by the State of Hawaii for the people of Hawaii.

The included fact sheet from this report states that in the absence of state and federal law, bio-propecting is not regulated in the State of Hawaii. The same report also states the AG's opinion is that the State does not automatically hold title to the genetic material derived from biological samples taken from public lands.

HRS 171-2 Definition of Public Lands provides the AG opinion that "Legal title to biogenetic resources gathered from state public lands will not still be vested in the State if third persons were allowed to

remove from public lands the natural resource or thing from which the biogenetic resources were extracted or the State sold or leased title to a parcel of public land without reserving title or retaining control of the resources or things connected to the transferred land, or their biogenetic contents.”

The KIRC is in a unique situation with regard to the management of the public lands it holds in trust for the State. By statute, the KIRC controls all access to the Reserve and by Administrative Rule controls the removal of all biological, mineral and other resource from the Reserve. Staff will work with the AG to develop specimen transfer documentation that will accompany all biological samples approved by the KIRC or its assigned designate for removal from the Reserve in order that the State retains its genetic rights to all biological material removed from the Reserve. The receiving entity will be required to sign the receipt documentation acknowledging the State does not relinquish its right to the genetic material being transferred. This action does not require commission approval as it is administrative in nature and protects the State's fiduciary responsibility with regards to managing public lands.

**Commission meeting outreach:** The current process for announcing Commission meetings include electronic press releases that are distributed to the KIRC e-distribution list of 750 recipients and all media outlets including television and print. People can either sign up for e-distribution at our webpage or at one of the KIRC's outreach events. Commission meeting notices are also posted on e-Hawaii.gov for incorporation into the State of Hawaii Government calendar, as required by OIP. KIRC meeting announcements are forwarded on other distribution lists including the PKO's kua list and CNHA's Native News Clips which has over a thousand Native Hawaiian subscribers.

## Administration, Staffing and Personnel

**Cultural Project Coordinator:** Cultural Project Coordinator Kui Gapero began working for the KIRC during the last week of June 2012.

**Ocean Resource Specialist:** Ocean Resource Specialist Cheryl King's employment contract for FY13 was not renewed due to work attendance issues. We are evaluating filling this position and are currently leaning towards downgrading the position to an Ocean Technician that will focus on implementing cultural-based ocean management projects and activities.

## Public Information, Outreach and Governmental Relations

**Public Comment on USFWS Critical Habitat Designation:** KIRC staff met with USFWS Representatives to discuss the proposed critical habitat listing for the Maui Nui region. USFWS is proposing to add 38 new species to the Federal Endangered Species List for Maui Nui and designating critical habitat for 138 species in the Maui Nui region.

A critical habitat designation for the Blackburn's Sphinx moth currently exists in the Luamakika region of Kaho`olawe. USFWS is proposing the creation of three coastal regions and two dry land forest regions for designation. The three coastal region encompasses the eastern cliff line from Kanapou to 'Ale'ale and along the western shoreline from Honokanai'a to Laepakī. These areas are primarily designated for *Kanaloa kahoalawensis* (Palupalu o Kanaloa), *Sesbania tomentosa* ('Ōhai) and *Vigna oahuensis*. The two dryland habitats include the ma`o fields of Kealaikahiki and the upper slopes of the Hakioawa and

Papaka`ili. These areas include the previous listed species as well as additional species including *Hibiskus brackenridgei*. USFWS selected these areas based upon historical sightings of these species in the region and similarity to the current habitats occupied by these species.

Staff will be providing comments requesting the Honokanai`a Base Camp complex be excluded from the critical habitat as it is already a developed industrial area. KIRC's current restoration project sites will also be listed for informational purposes.

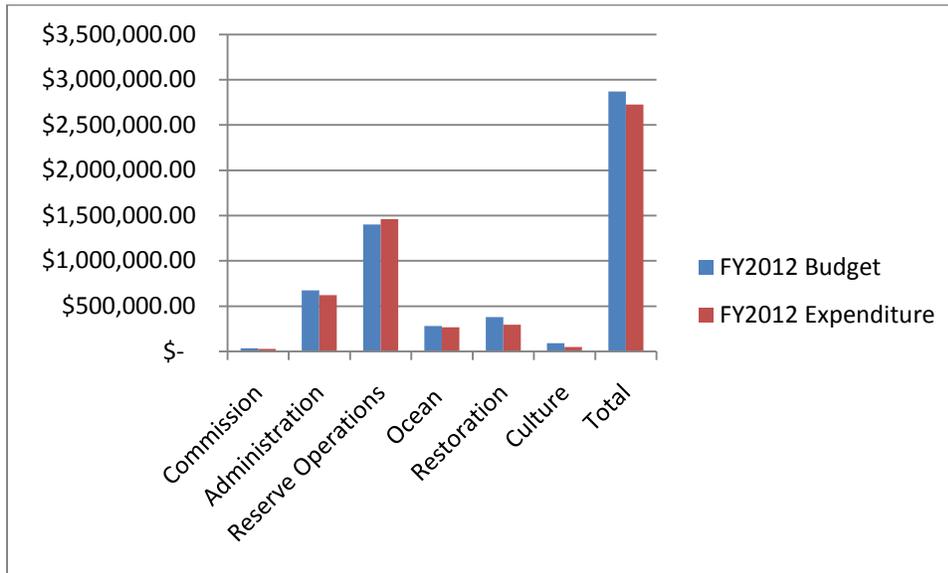
## Capital Improvement, Reserve Operations and Logistics

**Hakioawa Hale Update:** Five bids were submitted for consideration for the construction of the Hakioawa Shelter Project. DLNR Engineering, which is managing the construction process, selected GSI Pacific as the winning bid at \$396,800 which is just under the CIP funding amount from the State. BLNR has approved the award of the contract and GSI has just signed the contract document. The next phase is for the pre-construction meeting to review the contractor's plans and to discuss scheduling. Staff will be requesting the on-island portion of the project begin after the closing Makahiki ceremony in February 2013, unless the project can be fully completed prior to the opening Makahiki ceremony in November 2012 based upon manufacturer's schedule to fabricate and deliver the components for the project,.

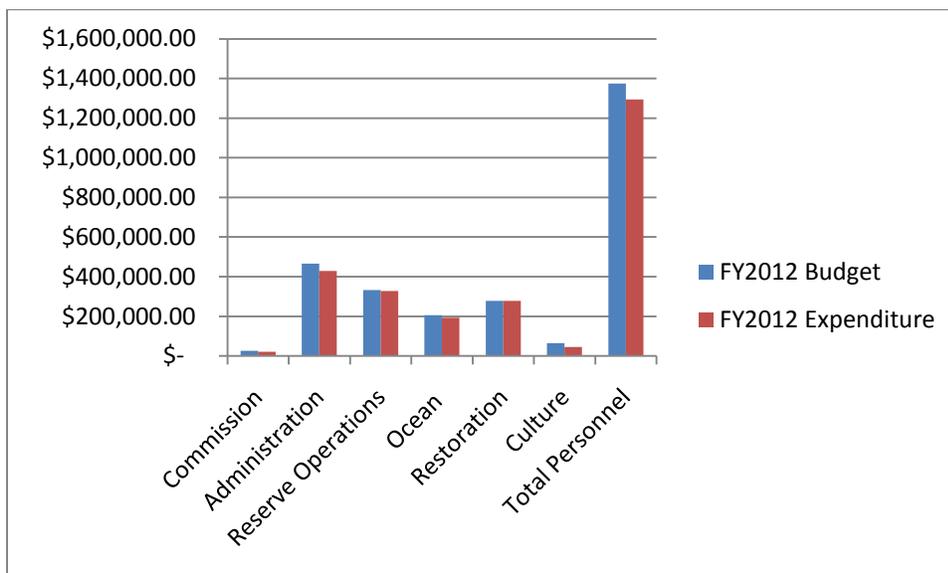
# Budget Variance Report

*Kaho`olawe Island Reserve Commission Meeting  
August 10, 2012*

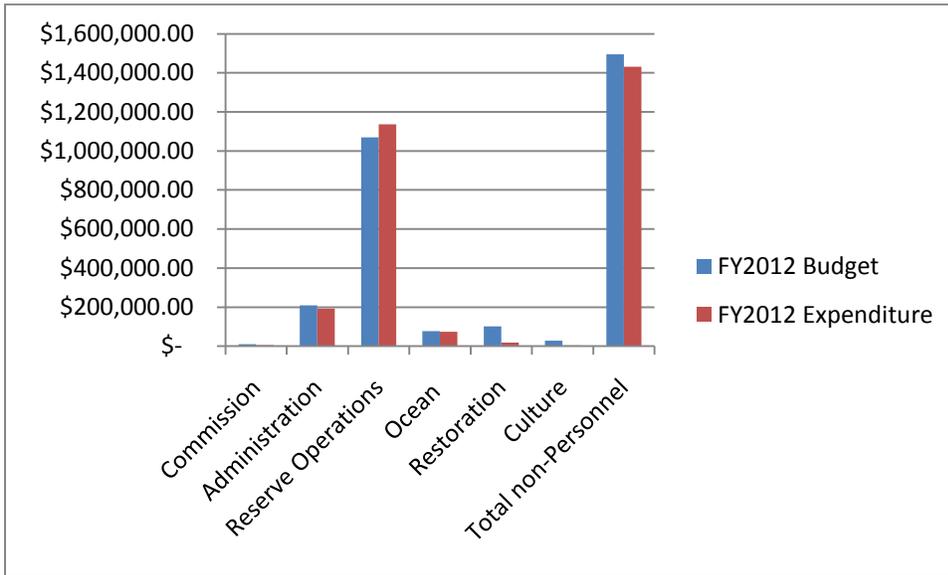
## Total Budget vs. Total Expenditures



## Budget Personnel Cost vs. Expenditures



### Budget Non-Personnel Cost vs. Expenditures



Fund Development Status Report  
Grant Status

Current Awards	Requested Amount	Agency	Pre RFP Date	RFP Date	Award Date	Perf. Start	Perf. End	Program	Project	Status
Wetland Restoration	\$ 380,400	NRCS	OBE	OBE	OBE	07/01/08	06/30/11	Restoration	Expand wetland habitats at Kaukaikapapa and Kealialao	Awarded
<b>Current Opportunities</b>										
NFWF Native Plant Conservation Initiative	\$50,000	NFWF	NA	05/31/12	August	10/15/12	10/15/13	Restoration	Kaulana and Hakioawa watershed maintenance	REJECTED
NOAA Community Restoration Partnership	\$80,000	HCF/NOAA	NA	05/25/12	Oct/Nov	01/01/13	12/31/14	Restoration/ Ocean/ Culture	Coastal and marine restoration at Honokanaia	FULL PROPOSAL REQUESTED and SUBMITTED
Atherton Cultural Program Funding	\$46,860	Atherton Foundation	NA	06/01/12	08/30/12	09/01/12	08/30/14	Culture	Develop traditional practices curriculum for restoration volunteers	Contacted for more information - Decision in August
First Hawaiian Bank	\$10,000	First Hawaiian Bank	NA	Recurrent	late August	1/7/2013	12/31/2013	Culture	Ai Pono: Hawaiian Native Foods and the Restoration of Kaho'olawe	SUBMITTED
Fred Baldwin Foundation	\$8,911	Fred Baldwin Foundation	NA	Recurrent	October	1/1/2013	12/31/2014	Culture	Ai Pono: Hawaiian Native Foods and the Restoration of Kaho'olawe	SUBMITTED
<b>Bank</b>										
Coastal Debris Cleanup	\$ 100,000	NOAA	NA	10/31/09	03/29/10	07/01/10	9/31/11	Ocean	Marine Debris Cleanup of Kanapou	Completed
Faunal Restoration	\$ 10,451	USFWS	OBE	OBE	OBE	09/01/08	11/30/10	Restoration	Feral cat monitoring and control	Completed
Restoration Chipper	\$ 20,000	USFWS	NA	NA	09/09/10	09/15/10	09/15/15	Restoration	Prchase a chipper for brush reduction	Completed
Planting Seedlings	\$ 5,000	HEI/AmSav	NA	01/01/10	01/01/10	NA	NA	Restoration	Native plant seedlings	Completed
Native Plant Seedlings	\$ 5,000	Maui County	NA	NA	02/03/10	NA	NA	Restoration	Purchase native plant seedlings	Completed
Island Restoration	\$ 143,456	Island Conservation	6/30/06					Restoration	Kaho'olawe Island Restoration	donation for feasibility study
Clean Water Act Section 319(h) grants (DOH II)	\$ 1,500,000	HI-DOH	OBE	OBE	OBE	09/01/05	08/31/09	Restoration	Watershed restoration in the Kaulana/Hakioawa watershed	Completed
<b>Past Applications</b>										
NOAA B-WET: Malama Kahoolawe	\$ 96,000	NOAA	NA	09/15/10	9/31/10	10/01/11	9/31/12	Culture/ Education	Teacher training and accesses to utilize the Malama Kahoolawe curriculum	Funding not released
Malama Kaho'olawe	\$ 10,000	Dowling	NA	NA				Education/restoration	Travel and lodging for students	Funding not awarded
Malama Kaho'olawe	\$ 10,000	A&B	NA	12/01/09				Education	Travel and lodging for students	Funding was not awarded
Seabird & Rare Plant	\$ 15,000	Cooke Foundation	NA	03/01/10				Restoration	Tracking Seabirds and rare plants to produce educational literature	Funding was not awarded

Fund Development Status Report  
Grant Status

Coastal and Marine Habitat Restoration (NOAA ARRA Funds)	\$ 2,208,763	NOAA	NA	04/06/09	05/30/09	07/01/09	12/31/10	Restoration	Coastal native habitat restoration - Honokanaia to Kaukaikapapa	Funding was not awarded
Clean Water Act Section 319(h) grants (DOH III)		HI-DOH	5/11/09	05/18/09	07/17/09	01/01/10	12/31/12	Restoration	Watershed restoration of the Kamohio watershed	Funding was not awarded
Manduca and Dryland Forest Restoration	\$ 1,409,166	USFWS	NA	NA	05/20/09	07/01/09	6/31/10	Restoration	35 acres of dryland forest outplanting	Funding was not available
Coastal Habitat Restoration - Seabirds	\$ 133,261	USFWS	NA	NA	05/20/09	01/01/10	12/31/10	Restoration	Monitor and conserve rare plant and animal species on the coastal cliffs and offshore islets	Funding was not awarded
Marine Debris Program 2009	\$ 24,728	NFWF	5/15/09	07/16/09	10/01/09	12/01/09	11/30/10	Ocean	Community based marine debris cleanup and research	Funding was not awarded
Wetlands Kealaikahiki ili	\$ 60,000	NOAA	6/6/09							Funding was not awarded
Ecosystem Restored	\$ 425,504	NFWF	6/30/06							Funding was not awarded
Malama Kaho'olawe	\$ 125,000	Weinberg		08/31/09			no fiscal agent	Education	Letter of Inquiry	Not approved by Commission
Natural Resources Program	\$ 25,000	HTA	NA	10/05/09	12/09/09			Education	Island visitation/volunteer	deferred til 2010
Malama Kaho'olawe	\$ 10,000	Bank of HI	NA	12/01/09				Education	Travel and lodging for students	Funding was not awarded
Malama Kaho'olawe	\$ 10,000	First Hi Bank	NA	12/09/09				Education	Travel and lodging for students	Funding was not awarded
Prposal for Pilot Project Funding	1,500,00	HCRI	NA	01/10/10				Restoration	Demonstration project to develop funding opportunities for Hawaii ecosystem projects	Project not selected for demonstration
Seabird & Rare Plant	\$ 15,000	Atherton Foundation	NA	12/01/09	02/24/10			Restoration	Tracking Seabirds and rare plants to produce educational literature	Project not selected for funding
Environmental Education	\$ 45,500	EPA	NA	02/16/10	03/29/10			Restoration, Operations	Educate volunteers on environmental protection	Project not selected for funding

