

January 12, 2016

MEMO TO: KIRC Commissioners

FROM: Michael K. Nāho‘opi‘i, Executive Director

SUBJECT: Request by the Protect Kaho‘olawe ‘Ohana to approve access dates and activities for 2016.

RECOMMENDED MOTION:

A. Pursuant to HAR §13-261-13 and Section 8 of the Palapala ‘Aelike Kahu‘aina, approve the proposed access dates and activities for the 2016 calendar year requested by the Protect Kaho‘olawe ‘Ohana as KIRC approved and authorized activities with the exception of the November 11-14, 2016 Opening Makahiki, February 15-20, 2016 Closing Makahiki and the Ka‘apuni portion of the June 30 – July 3, 2016 access request.

B. Pursuant to HAR §13-261-13 and Section 2 and 6 of the Palapala ‘Aelike Kahu‘aina, authorize the request for access by Protect Kaho‘olawe ‘Ohana for November 11-14 2016, Opening Makahiki; February 15-20, 2017, Closing Makahiki; and June 29-July 2, 2016, Ka‘apuni.

BACKGROUND & SUMMARY:

At the July 13, 2012 Stewardship Working Group meeting and as reported at the August 10, 2012 Commission meeting, the KIRC and PKO have agreed to use the following terminology:

- **Authorized Activities** – Activities permitted within the Reserve as specified in HRS 6K
- **Stewardship Agreement Authorized Activities** – Activities approved in the Stewardship Agreement Section 2.
- **KIRC Approved and Authorized Activities** – Activities that have been formally approved by Commission decision as meeting the criteria of Section 8 of the Stewardship Agreement.

As approved at the February 16, 2012 Commission meeting and amended at the December 17, 2012 Commission meeting, the following table is a summary of “KIRC Approved and Authorized Activities”. Continued approval of these activities is contingent upon satisfactory compliance with the coordination and reporting requirements as specified.

Table 1: KIRC Approved and Authorized Activities

Activity Name	Activity Description	Coordination Requirements	Reporting Requirements
PKO Revegetation Projects	Includes DLNR Revegetation Phase II Grant, Invasive weed management, Erosion	KIRC staff will provide project for the PKO to complete consistent with the Restoration Program	Report after each access documenting observations, activities, finding,

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Activity Name	Activity Description	Coordination Requirements	Reporting Requirements
	control, Hakioawa well maintenance		results and any other relevant information.
Ka `Ai a Kanaloa - Marine Debris Cleanup	Collecting, sorting, counting and bagging of beach rubbish.	Coordination between KIRC Ocean staff and PKO	See above
Ka `Ai a Kanaloa - Marine Monitoring	Monitor and document fish and reef conditions.	Coordination between KIRC Ocean staff and PKO for a list of project and monitoring sites	See above
Archaeological/Culture Site Mapping, Restoration and Stewardship	Map, stabilize, dedicate, re-dedicate and use cultural, religious and historic sites.	Activities consistent with the CUP, comply with HRS 6E and applicable HAR. Projects involving construction or erecting new sites require prior Commission approval. Spiritual and religious activities as proposed activities under the Stewardship Agreement are denied.	See above
Practice of Hawaiian Arts and Science	Implementation through observations, recording, documenting and reporting training of cultural practitioners through the CUP.	Activities consistent with CUP. Requires coordination with KIRC Culture Coordinator.	Report after each access documenting observations, information gathered, training conducted, and any other relevant information
Ala Loa	Surveying, flagging, identifying UXO and arch sites, clearing brush with mechanical equipment, power and hand tools, moving rock to create paths, building/rebuilding ahu sites	KIRC staff will provide site-specific UXO and safety procedures that the PKO must follow. Requires coordination with KIRC Culture Coordinator.	Report after each access documenting their progress, data points (GPS) for surveying, flagging, and identifying UXO.
Trail Stabilization	Evaluate, repair, build, stabilize, align trails, steps, install trailmarkers/steps and erosion control measures & identify UXO & arch sites, clearing brush with mechanical equipment, power and hand tools, moving rocks to create paths	KIRC staff will provide site-specific UXO and safety procedures that the PKO must follow. Requires coordination with KIRC Culture Coordinator.	Report after each access documenting their progress, data points (GPS) for surveying, flagging, and identifying UXO.
Hakioawa Helicopter Landing Pad	Survey, evaluate site, prepare materials after transport to Hakioawa and install materials.	Requires coordination with KIRC Culture Coordinator.	Report after each access documenting their progress.
Hakioawa Hale/Halau Building	Survey, evaluate shore-side site, prepare materials re-purposed from Hale	Requires coordination with KIRC Culture Coordinator.	Report after each access documenting

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Activity Name	Activity Description	Coordination Requirements	Reporting Requirements
	Halawai.		their progress.
Kilohoku and Kilo Pae Honua	Worldly and Celestial Observations. (approved 12/17/12)		Report after each access documenting their progress.

Section 9 of the Stewardship Agreement specifies that “access dates and list of activities for the upcoming year shall be submitted prior to the December meeting.”

On December 26, 2015, PKO Access Coordinator Kylee Mar submitted the following dates and corresponding activities for 2016.

Table 2: PKO Access and Activities Request for 2015

Month	Dates	Activities
February 2016	February 10- 156	Hakioawa to Kealaikahiki: Closing of Makahiki
March 2016	March 23 – 26	Ka ‘Ai A Kanaloa - Cleanup & Monitoring; Ala Loa Practice of Hawaiian Arts and Sciences, Archaeological/Culture Site Monitoring and Management Revegetation Projects Hakioawa Camp Maintenance
April 2016	April 21 – 24	Ka ‘Ai A Kanaloa - Clean up & Monitoring; Ala Loa Practice of Hawaiian Arts and Sciences; Archaeological/Culture Site Monitoring and Management Revegetation Projects Hakioawa Camp Maintenance
May 2016	May 26 – 30	Ka ‘Ai A Kanaloa - Clean up & Monitoring; Ala Loa Practice of Hawaiian Arts and Sciences; Archaeological/Culture Site Monitoring and Management Revegetation Projects Hakioawa Camp Maintenance

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Month	Dates	Activities
June 2016	June 18 – 21 June 29 – July 2	Ka 'Ai A Kanaloa - Clean up & Monitoring; Ala Loa Practice of Hawaiian Arts and Sciences; Archaeological/Culture Site Monitoring and Management Revegetation Projects Hakioawa Camp Maintenance Ka'apuni
July 2016	July 14 - 17	Hawaiian Canoe Club Ka'apuni to monitor coastline resources; Honokanai'a: Ala Loa; Ka 'Ai A Kanaloa - Clean up & Monitoring; Practice of Hawaiian Arts and Sciences; Revegetation Projects
August 2016	August 11 – 14 August 28 – 31	Ka 'Ai A Kanaloa - Clean up & Monitoring; Ala Loa Practice of Hawaiian Arts and Sciences; Archaeological/Culture Site Monitoring and Management Revegetation Projects Hakioawa Camp Maintenance
September 2016	September 14–18 September 27 – 30	Ka 'Ai A Kanaloa - Clean up & Monitoring; Ala Loa Practice of Hawaiian Arts and Sciences; Archaeological/Culture Site Monitoring and Management Revegetation Projects Hakioawa Camp Maintenance Ipu a Kane Ceremonies
October 2016	October 13 - 16	Kaholokalani Ka 'Ai A Kanaloa - Clean up & Monitoring; Ala Loa Practice of Hawaiian Arts and Sciences; Archaeological/Culture Site Monitoring

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Month	Dates	Activities
		and Management Revegetation Projects Hakioawa Camp Maintenance
November 2016	November 11 – 14	Hakioawa Opening Makahiki
December 2016	December 15 - 18	Practice of Hawaiian Arts and Science: Observations for Ke Ala Polohiwa A Kanaloa -
January 2017	None	
February 2017	February 15 – 20	Hakioawa to Honokanai‘a: Closing Makahiki

METHODS & DISCUSSION:

The annual Stewardship Meeting was preliminarily conducted via email on December 26, 2015. An end of year report on the status of PKO activities and access issues is still pending submission by the PKO.

The activities listed in the PKO request (Table 2) are consistent with the approved and authorized activities (Table 1) with the exception of the Opening and Closing of Makahiki in November 2016 and February 2017 respectfully, and the Hawaiian Canoe Club Ka‘apuni in July 2016. The first two activities are authorized activities (see definitions above), but not KIRC Approved (Section 6. Spiritual and Religious Activities, Stewardship Agreement). The last is also authorized, but not KIRC approved.

There are no new activities in the PKO request for 2016 that were not previously authorized and approved other than those listed in the paragraph above. Any new requests for KIRC approval are not being considered at this time.

The current Stewardship Agreement was approved and signed on April 15, 2014. There are no new requests for changes by either party at this time.

LEGAL AUTHORITY:

Pursuant HRS §6K-6(1), the KIRC shall establish criteria, policies, and controls for permissible uses within the island reserve.

Pursuant HRS §6K-6(5), the KIRC may enter into curator or stewardship agreements with appropriate Hawaiian organizations such as the ‘Ohana.

Pursuant to HAR §13-261-13, the KIRC will allow activities for the preservation and practice of all rights customarily and traditionally exercised by native Hawaiians for cultural and subsistence purposes; allow activities which are educational and which relate to native Hawaiian cultural practices or to the natural or cultural resources of The Reserve.

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RECOMMENDATION:

Staff recommendation for this motion is to approve the PKO's request for dates and activities as presented above (Table 2) as KIRC Authorized and Approved, with the exception of the November 2016 and February 2017 Opening and Closing Makahiki Access and the Ka'apuni portion of the July 2016 access.