



KŪKULU KE EA A KANALOA
KAHO`OLAWE ISLAND RESERVE COMMISSION

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JONATHAN CHING, D.ARCH

HÖKŪLANI HOLT.

CARMEN HULU LINDSEY

Michael K. Nāho`opi`i

Executive Director

Testimony of
MICHAEL K. NĀHO`OPTI
Executive Director

Before the Senate Committee on

WAYS & MEANS

Monday, February 25, 2019

10:30 AM

State Capitol, Conference Room 221

In consideration of
SENATE BILL 1296 SENATE DRAFT 1
RELATING TO THE KAHO`OLAWE ISLAND RESERVE COMMISSION

Senate Bill 1296 SD1 appropriates funds for the Kaho`olawe Island Reserve Commission to effectively meet the unique challenges of restoring, preserving and determining the appropriate uses of the Kaho`olawe Island Reserve and to fund two full time equivalent (2.00 FTE) permanent positions, Kaho`olawe Island Reserve Specialists, for the Kaho`olawe Island Reserve Commission. The Kaho`olawe Island Reserve Commission (KIRC) strongly supports this measure.

In the State's FY18/FY19 approved biennium budget, Act 49 SLH 2017, KIRC was authorized 15 temporary positions and \$1,065,147 (FY18) and \$1,097,047 (FY19) in general funds for the management and restoration of the Kaho`olawe Island Reserve. Of these funds, \$883,647 is set aside each year for Personal Services. The remaining balance is allocated for \$93,000 each year for current lease payments for the KIRC's Wailuku office and \$88,500 (FY18) and \$120,000 (FY19) for Maui-based cost such as office and commission operation expenses and travel.

The additional funding is necessary to support volunteers, contractors and KIRC staff while on Kaho`olawe. This includes housing, on-island transportation, repair and maintenance of our buildings and infrastructure and safety equipment and supplies. Additionally, the funds are necessary to support the operations, repair and maintenance of the KIRC's landing craft, which is the primary means of transporting people, supplies and equipment to Kaho`olawe.

Due to the vacancy of the Kaho`olawe Island Reserve Specialist II and III positions in 2016, the KIRC was not able to include these positions with those authorized in Act 49. These positions are necessary to support necessary safety and logistic functions as well as on-island restoration

efforts and sustainability field projects while on Kaho`olawe and act as boat crew while on KIRC vessels.

These positions are critically vital as the KIRC has observed a recent increase in unpredictability and severity of weather and ocean conditions in the waters surrounding Maui and Kaho`olawe most likely due to climate change and global warming, which has resulted in an increase need for additional manpower to safely and effectively operate the KIRC ocean vessel. The KIRC operates a landing craft between Maui and Kaho`olawe to transport staff, volunteers, materials and equipment between the island to support the on-island restoration efforts. The KIRC's currently designated boat crew of two consist of our Maintenance and Vessel Operator and our Logistic Specialist, other KIRC staff augment the boat crew as available. The current boat crew needs additional manpower to handling cargo, operating lines and equipment and as safety look-outs as we have been encountering rougher weather conditions and more boat traffic between Kaho`olawe and Maui.

Our current Kaho`olawe Field teams also need additional field support as we have been successful in expanding our restoration efforts to create more native dryland forest habitats, expand beach restoration and shoreline protection efforts, cultivate food sustainability and increase on-island water generation, collection, storage and distribution systems.

SB-1296-SD-1

Submitted on: 2/22/2019 5:06:00 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Michele McLean	Testifying for County of Maui / KIRC	Support	No

Comments:

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran, and Committee Members,

Please accept this testimony in strong support of SB1296, SD1 to provide additional funding to the Kaho`olawe Island Reserve Commission. The Legislature has been a great partner to the KIRC in recent years, and this additional bridge funding is needed to continue the KIRC's restoration efforts while the KIRC works to implement its financial sustainability plan. We could not have come this far without your support, and hope to earn continued support this session.

Mahalo for your consideration,

Michele McLean

Planning Director, County of Maui

Chairperson, Kaho`olawe Island Reserve Commission

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Unity, Equality, Aloha for all



To: SENATE COMMITTEE ON WAYS AND MEANS

Re: SB 1296, SD1

RELATING TO THE KAHO‘OLAWE ISLAND RESERVE COMMISSION.

Appropriates funds to the Department of Land and Natural Resources for support of the Kahoolawe Island Reserve Commission, including two full-time equivalent (2.0 FTE) permanent positions. Takes effect 12/31/2050. (SD1)

For hearing on Monday, February 25, 2019

TESTIMONY IN OPPOSITION

Please do not place this burden on the taxpayers of the State of Hawaii.

Let OHA pay all costs associated with the rehabilitation of Kaho'olawe -- an island which this legislature and OHA both believe will be handed

over in the near future to the Hawaiian tribe which OHA has been working so hard to create for at least 19 years.

As the language of this bill points out, "Pursuant to section 6K-9, Hawaii Revised Statutes, the management and control of the Kaho'olawe island reserve will be transferred to a sovereign Native Hawaiian entity upon its recognition by the state and federal governments. This event is anticipated to occur within the timeframe of the 2026 strategic plan."

In Act 195 (2011) this legislature set in motion a process now underway to create a Hawaiian tribe. The U.S. Department of Interior recently proclaimed a regulation whereby that tribe can get federal recognition -- the final rule 43CFR50 proclaimed by the U.S. Department of Interior by publication in the Federal Register on October 14, 2016. Both Act 195 and the Department of Interior regulation insist that the Hawaiian tribe must be exclusively for Native Hawaiians, and that anyone lacking a drop of the magic blood must be ruthlessly excluded.

According to OHA trustee Lei Ahu Isa, OHA has used approximately \$33 Million of state government money over the years to lobby for federal recognition of a Hawaiian tribe either through the Akaka bill or through advertising and racial registration programs both in Hawaii and on the mainland. OHA provided the entire funding for an election of delegates and a monthlong meeting in 2006 which produced a proposed constitution for the tribe. OHA has repeatedly pledged that when a Hawaiian tribe has achieved federal recognition, OHA will transfer all its assets to the tribe.

If the tribe is successful in creating itself and getting federal recognition, section 6K-9 of the Hawaii Revised Statutes guarantees that the island of Kaho'olawe will immediately be ripped away from the State of Hawaii and handed over to the Hawaiian tribe, to which people with no native blood are forbidden to belong.

This legislature simply must not confiscate tax dollars from 80% of Hawaii's people for a project which they will be racially excluded from.

It would be foolish and immoral for the State of Hawaii to spend taxpayer dollars collected from 100% of Hawaii's people of all races to pay for upgrades to an island which is expected to be removed from the State of Hawaii and handed over to a sovereign "nation" [tribe] restricted by law to one racial group whose people are perhaps 20% of Hawaii's people, most of whom will probably not even join the tribe. Once the tribe has been created there will be negotiations between the State of Hawaii vs. the tribe to decide how much additional land and money the State will give to the tribe. The State should not give away resources before the negotiations even begin.

OHA's most recent annual report (2018) shows that OHA has total assets of more than \$662 million. And it continues getting more payments of state government money (ceded land revenues plus legislative appropriations) every year, including a bill in this year's legislature demanding \$35 million per year from ceded land revenues.

Enough already! OHA can easily afford funding for Kaho'olawe. Let OHA pay whatever money it wishes to pay to KIRC to rehabilitate Kaho'olawe -- an island which this legislature and OHA both believe will be handed over in the near future to the Hawaiian tribe which OHA is working so hard to create.

The first version of this bill proposed to transfer \$1,000,000 taxpayer dollars to the Department of Land and Natural Resources to provide funding for specified programs of the Kaho'olawe Island Reserve Commission for fiscal year 2019-2020, plus an additional \$72,000 for two FTE staff positions; and then the same amounts again for FY 2020-2021.

It's interesting that last year, 2018, the same legislation, SB3027 and HB2594, demanded only \$600,000 instead of \$1,000,000 to support the activities of KIRC. That's a 67% inflation rate in a single year! Yes it's an island, but does that mean we must spend like drunken sailors?

SB-1296-SD-1

Submitted on: 2/22/2019 1:51:49 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Carol Marie Lee	Individual	Support	No

Comments:

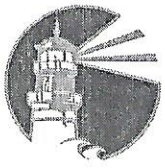
SB-1296-SD-1

Submitted on: 2/22/2019 1:29:19 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Katharine T. Cannon-Eger	Individual	Support	No

Comments:



COMMITTEE ON WAYS AND MEANS
Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

NOTICE OF DECISION MAKING

DATE: Monday, February 25, 2019
TIME: 10:30 a.m.
PLACE: Conference Room 211
State Capitol

**TESTIMONY OF THE OCEAN TOURISM COALITON WITH SUPPORT OF SB1296SD1
RELATING TO KAHOO LAWE ISLAND RESERVE COMMISSION**

Chair Dela Cruz, Vice Chair Keith-Agaran and Members of WAM Committee:

My name is James E. Coon, President of the Ocean Tourism Coalition (OTC),
speaking with support of SB 1296 SD1 Relating to KIRC.

The OTC represents over 300 small ocean tourism businesses state wide.

While this proposed legislation does not directly impact our industry we believe
that the restoring, preserving and determining the appropriate uses of
Kaho'olawe is important to everyone who calls Hawaii home.

It is our opinion that KIRC and these efforts should be supported in perpetuity by
the General tax revenue.

Please pass SB 1296 SD1 It is the right thing to do to help further the goals of I
Ola Kanaloa and restore Kaho'olawe.

Sincerely,

James E. Coon, President,
Ocean Tourism Coalition

SB-1296-SD-1

Submitted on: 2/24/2019 8:37:09 AM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Pamela Zirker	Individual	Support	No

Comments:

Dear Elected Official and Policy Maker,

I am writing to you today, in concern for the funding of Kaho'olawe Island Reserve Commission. I stand in full support of Director Michael Naho'opi'i, and his efforts to sustain the KIRC funding.

I find myself disheartened, when I see that he must consistently struggle to find funding for the important conservation and ecological work that must take place on Kaho'olawe, due to devastating destruction from the Navy.

KIRC desperately needs your help securing appropriations for supplies, man power, and maintenance of motorized vehicular transportation, for use both on land, and at sea. KIRC constantly needs funds for the following reasons, to buy supplies needed to maintain planting restoration and conservation efforts, to maintain housing facilities, to supply food and basic survival materials for the workers and volunteers, and to be able to maintain mechanical workings, not to mention countless other costs that accrue when restoring an entire island.

I am asking you as my elected representative, to hear me now, and pass this message on to the people you work with. Go to them and describe KIRC's yearly, no, daily plight to secure sufficient funding for important items. Please be the person that I am glad I voted for, and use your powers to reach across party lines, to get all legislators to cast their votes for any and all bills that protect the status quo, and/or increases the funding for Kaho'olawe Island Reserve Commission. Please use your persuasive speeches in discussions with your peers, to explain to your colleagues that KIRC needs to keep a personnel team of highly qualified professionals. Explain to them, that these are the people who staff the core team, responsible for keeping the island in a positive direction toward a goal of total restoration.

Please remind your fellow legislators, that it is important to continue to provide funding that enables KIRC to invite teams of volunteers and helpers to Kaho'olawe. The volunteers program, provides a necessary part of the work force on the island, and a steady flow of these volunteers is imperative, in order to perform the laborious tasks of repairing the island. We are the people of these Hawaiian Islands, and we are the ones who feel the love for this land. Our families are witnesses to the action you take today.

Please do the right thing, and honor the will of future generations who strive to repair the island. We were witnesses to its destruction, and are the resource who feels the urgency to take part in its restoration.

Therefore, I am urging you to vote for BILL SB129 SD1, and get involved in helping KIRC's scientists, cultural practitioners, Hawaiian people, passionate natural conservationists like myself and countless talented people, such as the Protect Kaho'olawe Ohana, who vow to do whatever it takes to restore Kaho'olawe to its natural condition, flourishing in native Hawaiian flora and fauna.

Thank you for reading my letter of concern. Please vote in support of KIRC's quest for financial security at every opportunity. I know I will be observing your courage and fortitude in our futures.

Sincerely,

Pamela Zirker

6406 Kawaihau Rd.

Kapa'a, Kaua'i, HI. 96746

Phone : 808-821-1350

SB-1296-SD-1

Submitted on: 2/23/2019 10:40:07 AM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
johann winkler	Individual	Support	No

Comments:

Aloha Chairs and committee members, I support this measure to provide additional financial and staff support for the Kaho`olawe Island Reserve Commission. They have taken the lead in demonstrating that it is possible to reverse ecological damage after years of neglect and abuse, to preserve our native cultural history for future generations and to connect our residents with the healing of Kaho`olawe through meaningful and safe work on the island.

SB-1296-SD-1

Submitted on: 2/23/2019 10:31:16 AM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Randy Ching	Individual	Support	No

Comments:

Aloha Chair Dela Cruz, Vice Chair Keith-Agaran and committee members,

I support SB1296 to provide additional financial and staff support for the Kaho`olawe Island Reserve Commission. They have taken the lead in demonstrating that it is possible to reverse ecological damage after years of neglect and abuse, to preserve our native cultural history for future generations and to connect our residents with the healing of Kaho`olawe through meaningful and safe work on the island.

Please pass SB1296 SD1. Mahalo for your consideration.

Randy Ching (Honolulu)

SB-1296-SD-1

Submitted on: 2/23/2019 6:14:48 AM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Robin Kaye	Individual	Support	No

Comments:

Several years ago, as a volunteer with the Lana'i High and Elementary School, I spent one week working on Kahoolawe. I found the work of KIRC to be important, productive and well managed. I support this bill, as they are doing good work in an extremely challenging environment.

SB-1296-SD-1

Submitted on: 2/23/2019 5:10:54 AM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
kalani fukumoto	Individual	Support	No

Comments:

I support this bill to fund or help KIRC restore the island of Kaho'olawe.

The island is making an amazing comeback with MUCH needed funding and the dedicated KIRC staff and many volunteer efforts.

Many heartfelt thank you's to all the legislators who appropriate these funds to help in this effort

of the island's restoration

Please help!

Mahalo from Kalani Fukumoto

SB-1296-SD-1

Submitted on: 2/22/2019 4:05:09 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mark Hyde	Individual	Support	No

Comments:

This unique island needs further funding to continue the good work being done to rehabilitate it after decades of abuse.

SB-1296-SD-1

Submitted on: 2/22/2019 3:56:11 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Hawkins Biggins	Individual	Support	No

Comments:

Aloha Chairs and committee members,

I support this measure to provide additional financial and staff support for the Kaho`olawe Island Reserve Commission. They have taken the lead in demonstrating that it is possible to reverse ecological damage after years of neglect and abuse, to preserve our native cultural history for future generations and to connect our residents with the healing of Kaho`olawe through meaningful and safe work on the island.

Mahalo,

Hawkins Biggins

LATE

SB-1296-SD-1

Submitted on: 2/24/2019 10:37:23 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

SB-1296-SD-1

Submitted on: 2/24/2019 11:35:26 PM

Testimony for WAM on 2/25/2019 10:30:00 AM



Submitted By	Organization	Testifier Position	Present at Hearing
Raytan K. Vares	Testifying for Democratic Party of Hawaii-Hawaiian Affairs Caucus	Support	No

Comments:

LATE

SB-1296-SD-1

Submitted on: 2/24/2019 12:38:26 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Omar Sultan	Individual	Support	No

Comments:

SB-1296-SD-1

Submitted on: 2/25/2019 8:12:04 AM

Testimony for WAM on 2/25/2019 10:30:00 AM



Submitted By	Organization	Testifier Position	Present at Hearing
Kylee Mar	Individual	Support	No

Comments:

LATE

SB-1296-SD-1

Submitted on: 2/25/2019 9:37:41 AM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dylan P. Armstrong	Individual	Support	No

Comments:



SB-1296-SD-1

Submitted on: 2/25/2019 9:04:47 AM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrew Fox	Individual	Support	No

Comments:

Please support this bill to provide ongoing funding for KIRC

Sincerely,

Andrew Fox

LATE

SB-1296-SD-1

Submitted on: 2/25/2019 8:45:47 AM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Chandy Lopes	Individual	Support	No

Comments:

LATE

SB-1296-SD-1

Submitted on: 2/25/2019 8:26:13 AM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dean Tokishi	Individual	Support	No

Comments:

Aloha Chairs and committee members, I support this measure to provide additional financial and staff support for the Kaho`olawe Island Reserve Commission. They have taken the lead in demonstrating that it is possible to reverse ecological damage after years of neglect and abuse, to preserve our native cultural history for future generations and to connect our residents with the healing of Kaho`olawe through meaningful and safe work on the island.

LATE

SB-1296-SD-1

Submitted on: 2/25/2019 10:08:35 AM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Cassandra L. Smith	Individual	Support	No

Comments:

LATE

SB-1296-SD-1

Submitted on: 2/25/2019 11:14:34 AM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Maggie Pulver	Individual	Support	No

Comments:

I strongly support this bill which provides funding to the KIRC for additional staff. With more personnell, the KIRC will be more effective at accomplishing it's mission of restoring and protecting Kaho'olawe.

'A'ohe hana nui ke alu 'ia.

No task is too big when done together by all.

LATE

SB-1296-SD-1

Submitted on: 2/25/2019 2:43:11 PM

Testimony for WAM on 2/25/2019 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kali Linder	Individual	Support	No

Comments:

Ioha Chairs and committee members, I support this measure to provide additional financial and staff support for the Kaho`olawe Island Reserve Commission. They have taken the lead in demonstrating that it is possible to reverse ecological damage after years of neglect and abuse, to preserve our native cultural history for future generations and to connect our residents with the healing of Kaho`olawe through meaningful and safe work on the island.