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## A BILL FOR AN ACT

MAKING AN APPROPRIATION TO THE KAHO'OLAWE ISLAND RESERVE  
COMMISSION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Through Act 340, Session Laws of Hawaii 1993,  
2 the legislature found that the island of Kaho'olawe was of  
3 significant cultural and historic importance to the native  
4 people of Hawaii. The legislature also found that due to  
5 extensive erosion and other ecological problems, the presence of  
6 unexploded ordnance, the existence of archaeological and other  
7 cultural and historic sites, and the presence of native and  
8 endangered flora and fauna, a new management regime was needed  
9 to effectively meet the unique challenges of restoring,  
10 preserving, and determining the appropriate use of Kaho'olawe.

11           The Kaho'olawe island reserve commission is funded  
12 predominantly by a dwindling trust fund created in 1994 during  
13 the federal cleanup of unexploded ordnance on Kaho'olawe.  
14 Although it was a considerable amount, the federal appropriation  
15 totaling approximately \$44,000,000 over a period of several



1 years was not substantial enough to establish a sustainable  
2 endowment for the long-term restoration of Kaho'olawe.

3 As stated in the federally mandated Kaho'olawe island  
4 conveyance commission final report to Congress in 1993, "in the  
5 short term, federal funds will provide the bulk of the program  
6 support for specific soil conservation projects and related  
7 activities. In the longer term, however, state revenues will be  
8 needed to continue and enhance those activities initiated with  
9 federal funds." For the past twenty-one years, federal funding  
10 has allowed the Kaho'olawe island reserve commission to establish  
11 many innovative programs that emphasize ancestral and  
12 traditional knowledge, use a cultural approach of respect for  
13 and connectivity to the environment, and integrate ancient and  
14 modern resource-management techniques.

15 In 2004, the management and control of the Kaho'olawe island  
16 reserve was transferred from the United States Navy to the State  
17 of Hawaii, with the Kaho'olawe island reserve commission as the  
18 state agency designated to oversee the use and restoration of  
19 the reserve. During the past ten years, the Kaho'olawe island  
20 reserve commission has been able to develop innovative  
21 restoration projects that are effective in the extremely harsh



1 conditions of Kaho'olawe and will serve as the foundation for the  
2 future restoration of the island.

3 A fiscal audit of the Kaho'olawe rehabilitation trust fund  
4 performed by the office of the auditor in 2013 reported two key  
5 findings. First, and more importantly, the trust fund will be  
6 depleted by 2016. Second, the Kaho'olawe island reserve  
7 commission lacks a comprehensive and quantifiable restoration  
8 plan with performance measures to gauge whether objectives are  
9 being met.

10 Also in 2013, the Kaho'olawe island reserve commission  
11 embarked on the development of a 2026 strategic plan for  
12 Kaho'olawe, marking fifty years of occupation of Kaho'olawe by the  
13 people of Hawaii and laying out a pathway for the future use and  
14 management of the Kaho'olawe island reserve. After a two-year  
15 effort that engaged Hawaii's residents through numerous  
16 community meetings and focus-group sessions held on multiple  
17 occasions on each of the islands, the multi-organizational  
18 Kaho'olawe strategic planning working group developed an island-  
19 wide, community-based strategic plan, entitled "I Ola Kanaloa",  
20 or "Life to Kanaloa", that addresses the future restoration,  
21 management, and uses of Kaho'olawe for the State, the people of



1 Hawaii, and a possible future sovereign Native Hawaiian entity.  
2 Pursuant to section 6K-9, Hawaii Revised Statutes, the  
3 management and control of the Kaho'olawe island reserve will be  
4 transferred to a sovereign Native Hawaiian entity upon its  
5 recognition by the state and federal governments. This event is  
6 anticipated to occur within the timeframe of the 2026 strategic  
7 plan.

8 Without additional funding, the Kaho'olawe island reserve  
9 commission will not be able to continue its innovative  
10 management regime beyond fiscal year 2015. The Kaho'olawe island  
11 reserve commission's management and control of Kaho'olawe is not  
12 only restoring the ecological damage on Kaho'olawe and protecting  
13 its endangered and rare flora and fauna but also ensuring that  
14 the people of Hawaii who visit the Kaho'olawe island reserve can  
15 do so meaningfully and safely.

16 The purpose of this Act is to provide funds to the  
17 Kaho'olawe island reserve commission to meet effectively the  
18 unique challenges of restoring, preserving, and determining the  
19 appropriate uses of the Kaho'olawe island reserve for the people  
20 of Hawaii.



1 SECTION 2. There is appropriated out of the general  
 2 revenues of the State of Hawaii the sum of \$6,000,000 or so much  
 3 thereof as may be necessary for fiscal year 2015-2016 and the  
 4 same sum or so much thereof as may be necessary for fiscal year  
 5 2016-2017 for projects undertaken by the Kaho'olawe island  
 6 reserve commission, including but not limited to the restoration  
 7 and preservation of the natural, cultural, and historic  
 8 resources of the Kaho'olawe island reserve and its meaningful and  
 9 safe use by the people of Hawaii.

10 The sums appropriated shall be expended by the Kaho'olawe  
 11 island reserve commission for the purposes of this Act.

12 SECTION 3. This Act shall take effect on July 1, 2015.  
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INTRODUCED BY:

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H.B. NO. 438

**Report Title:**

Kaho'olawe Island Reserve Commission

**Description:**

Appropriates funds to the Kaho'olawe Island Reserve Commission for restoration and preservation projects.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

