

JAN 22 2016

A BILL FOR AN ACT

MAKING AN APPROPRIATION TO THE KAHO'OLAWA 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 this year. 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
13 the people of Hawaii and laying out a pathway for the future use
14 and management of the Kaho'olawe island reserve. After a two-
15 year 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 2016. 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 is also ensuring
14 that the people of Hawaii who visit the Kaho'olawe island reserve
15 can do so meaningfully and safely.

16 The purpose of this Act is to provide funds to the
17 Kaho'olawe island reserve commission to effectively meet 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. The Kaho'olawe island reserve commission shall
 2 submit a financial self-sufficiency and sustainability plan,
 3 including any proposed legislation, to the legislature no later
 4 than twenty days prior to the convening of the regular session
 5 of 2017.

6 SECTION 3. There is appropriated out of the general
 7 revenues of the State of Hawaii the sum of \$600,000 or so much
 8 thereof as may be necessary for fiscal year 2016-2017 for
 9 projects undertaken by the Kaho'olawe island reserve commission,
 10 including but not limited to the restoration and preservation of
 11 the natural, cultural, and historic resources of the Kaho'olawe
 12 island reserve and its meaningful and safe use by the people of
 13 Hawaii.

14 The sum appropriated shall be expended by the Kaho'olawe
 15 island reserve commission for the purposes of this Act.

16 SECTION 4. This Act shall take effect on July 1, 2016.

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INTRODUCED BY:

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S.B. NO. 2582

Report Title:

Kaho'olawe Island Reserve Commission; Self-sufficiency Plan;
Appropriation

Description:

Appropriates funds to the Kaho'olawe Island Reserve Commission for restoration and preservation projects. Requires submission of a financial self-sufficiency and sustainability plan to the legislature no later than twenty days prior to the 2017 Regular Session.

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

