

**TESTIMONY OF JAN K. YAMANE, ACTING STATE AUDITOR,
ON HOUSE BILL NO. 438, SENATE DRAFT 1,
MAKING AN APPROPRIATION TO THE KAHO‘OLAWE ISLAND
RESERVE COMMISSION**

Senate Committee on Ways and Means

(Written testimony only)

April 1, 2015

Chair Tokuda and Members of the Committees:

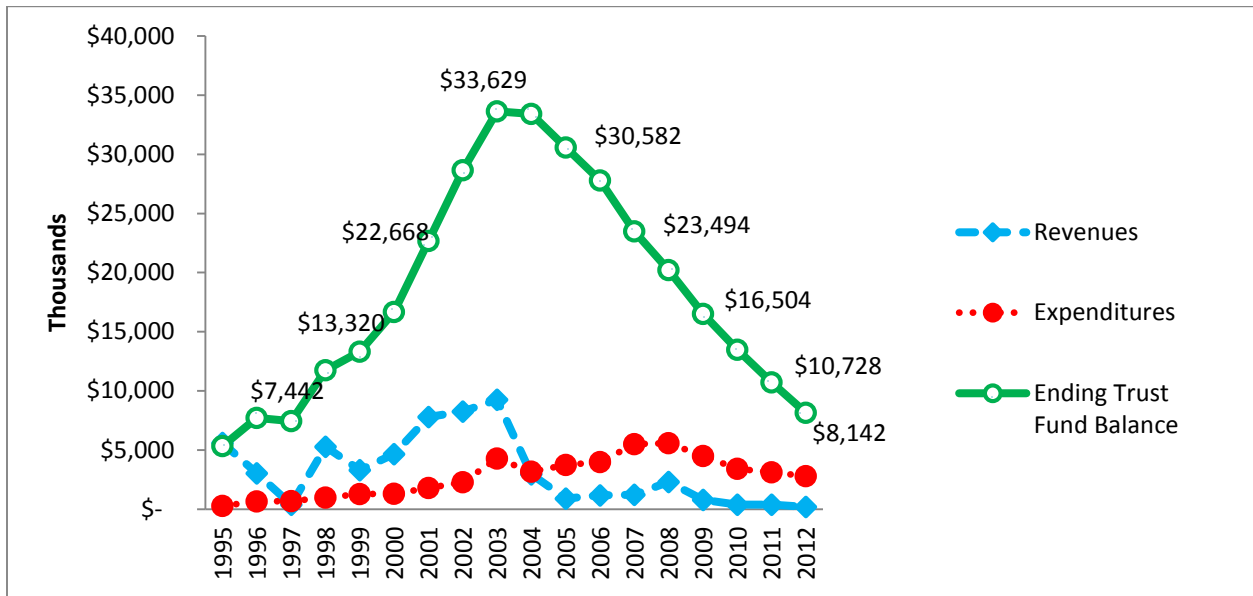
I am Jan Yamane, Acting State Auditor. Thank you for the opportunity to offer comments on House Bill No. 438, Senate Draft 1, making an appropriation to the Kaho‘olawe Island Reserve Commission. This bill would, among other things, appropriate funds to the Kaho‘olawe Island Reserve Commission for restoration and preservation projects.

In July 2013, we released Report No. 13-06, *Audit of the Kaho‘olawe Rehabilitation Trust Fund*, which responded to a request by the 2012 Legislature via Senate Concurrent Resolution No. 63, Senate Draft 1, asking the Auditor to conduct a fiscal audit of the Kaho‘olawe Rehabilitation Trust Fund. The Legislature requested that the audit include a determination of whether trust funds are being used in compliance with state laws and any applicable grant agreements, and to effectuate the purposes of the Chapter 6K, HRS, including the performance of duties and responsibilities of the Kaho‘olawe Island Reserve Commission. In our report, we had two findings:

1. At its current rate of spending, the Kaho‘olawe Island Reserve Commission will drain the remaining balance of the Kaho‘olawe Rehabilitation Trust Fund by 2016; and

- The Kaho‘olawe Island Reserve Commission has not developed a comprehensive and measurable restoration plan, including estimated costs and timeframes for completion.

The following exhibit from our report illustrates the Kaho‘olawe Rehabilitation Trust Fund’s financial revenue, expenditures, and decreasing trust fund balance for FY1995–FY2012. As you can see, expenditures have outpaced revenues for the past decade.

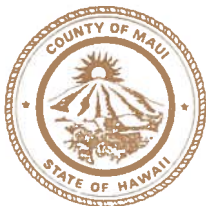


Our report noted that the commission has been unsuccessful at meeting its fundraising goals and unable to secure long-term funding. Although it has cut its budget, it continues to deplete the trust fund and at its current rate of spending, the trust fund will be completely exhausted by 2016.

This measure will appropriate needed funds to the depleting trust fund for FY 2016–2017, and begins to address the commission’s rate of spending and inability to successfully raise funds to preserve the trust by requiring that it submit a financial self-sufficiency and sustainability plan to the 2016 Legislature. If the Kaho‘olawe Rehabilitation Trust Fund requires annual appropriations, it raises the question whether the trust fund is needed or should be repealed. The commission could be supported through general fund appropriations.

Thank you for the opportunity to offer comments on House Bill No. 438, Senate Draft 1.

ALAN M. ARAKAWA
MAYOR



KEITH A. REGAN
MANAGING DIRECTOR

OFFICE OF THE MAYOR

Ke'ena O Ka Meia

COUNTY OF MAUI – Kalana O Maui

TESTIMONY OF MAYOR ALAN M. ARAKAWA COUNTY OF MAUI

SUBJECT: FUNDING FOR THE KAHO`OLAWE ISLAND RESERVE COMMISSION

Please accept this testimony in strong support of full state funding for the Kaho`olawe Island Reserve Commission (KIRC). Whether by inclusion in the state budget through HB500, or a direct appropriation as proposed by HB 438, support of the KIRC is a state responsibility.

When the state accepted Kaho`olawe back from the U.S. military in 1994, it was recognized that state funding would eventually be needed to maintain and restore the island. As Section 1 notes in each of the above-reference bills, the federally-mandated Kaho`olawe Island Conveyance Commission reported to Congress in 1993 that KIRC's federal trust fund would be used to initiate conservation and other programs, but that state funding was required for the long term.

I was able to travel to Kaho`olawe last month to view the incredible work that the KIRC performs every day – its Restoration Program planting native shrubs and grasses to minimize erosion and restore native ecosystems, its Ocean Program monitoring marine species and the Island Reserve's pristine waters, its Culture Program preserving archaeological sites and promoting traditional Hawaiian practices, and its Operations staff providing all kinds of logistical and maintenance support to these program efforts. The KIRC's annual budget is less than \$3 million; they manage and are steadily restoring an entire island reserve – a former bombing range with 45 square miles of land and 90 square miles of ocean – for less than \$3 million per year; this has to be one of the most efficient government agencies in the state.

The Legislature has rightly recognized the state's responsibility to providing funding for the KIRC, and clearly appreciates the successes that KIRC has achieved. Your careful consideration of these funding measures comes at a critical time, and I respectfully request your support.



KŪKULU KE EA A KANALOA

KAHO`OLAWE ISLAND RESERVE COMMISSION

811 Kolu Street, Suite 201, Wailuku, HI 96793
Telephone (808) 243-5020 Fax (808) 243-5885
Website: <http://kahoolawe.hawaii.gov>

COMMISSION MEMBERS

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C. KALIKO BAKER, PhD
CARTY S. CHANG
HŌKŪLANI HOLT

Michael K. Nāho`opi`i
Executive Director

Testimony of MICHAEL K. NAHO`OPTI Executive Director

Before the Senate Committee on

WAYS AND MEANS

Wednesday, April 1, 2015
1:30 PM
State Capitol, Conference Room 211

In consideration of HOUSE BILL 438 HD1 SD1 MAKING AN APPROPRIATION TO THE KAHO`OLAWE ISLAND RESERVE COMMISSION

House Bill 438 HD1 SD1 appropriates out of the general revenues of the State of Hawai`i funds to be used for projects undertaken by the Kaho`olawe Island Reserve Commission, including but not limited to the restoration and preservation of the natural, cultural and historic resources of the Kaho`olawe Island Reserve and its meaningful and safe use by the people of Hawai`i. The Kaho`olawe Island Reserve Commission (KIRC) strongly supports this measure.

House Draft 1 eliminated the amount of funding specified in the bill, while Senate Draft 1 requires the KIRC to submit a financial self-sufficiency and sustainability plan prior to the start of the next legislative session. The KIRC request that funding in this bill be restored to \$3,000,000 per year for each fiscal year 2015-2016 and 2016-2017. Additionally, Senate Draft 1 allows the KIRC to fully explore our financial options, educate the public on the KIRC's need for sustainable financing and to develop in partnership with our stakeholders and the community acceptable language that will empower the KIRC to take a stake in its financial future.

When the State of Hawai`i accepted the return of the island of Kaho`olawe in 1994, it accepted the responsibility "to preserve and protect a corner of their island state so that future generations can become familiar with their island's past human and natural heritage. For many Native Hawaiians and others, Kaho`olawe is a special place that has been sanctified by the loss of life in a struggle between traditional values and Western concepts of land use and management" (Restoring a Cultural Treasure, Kaho`olawe Island Conveyance Commission).

As stated in the Federally-mandated Kaho`olawe Island Conveyance Commission (KICC) final report to Congress in 1993, "in the short term, federal funds will provide the bulk of the program

support for specific soil conservation projects and related activities. In the longer term, however, state revenues will be needed to continue and enhance those activities initiated with federal funds.” For the past 20 years, the initial Federal funding has allowed the KIRC to establish many of its innovative programs that emphasize ancestral and traditional knowledge, provide a cultural approach of respect and connectivity to the environment, and integrate ancient and modern resource management techniques. Those initial funds will run out by 2016 if no other funding source is secured.

With 25% of the island still uncleared of unexploded ordnance and only 10% cleared for intensive use, the KIRC’s continuing presence on Kaho`olawe is needed to ensure the protection of the general public. Without funding, the KIRC will have to terminate on-island operations and close the doors to public access to Kaho`olawe.

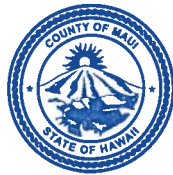
Over the past two years, the KIRC in partnership with several dozen community organizations conducted as of state-wide community gatherings to solicit and document the public’s input regarding the future of Kaho`olawe. The resultant community-wide planning document entitled “*I OLA KANALOA!*” represents a foundation to encourage the collective impact of many individuals, organizations, and the community-at-large. This arrangement acknowledges that the power, energy and resources to secure the future of Kaho`olawe is shared and dispersed among its many partners.

The funding being sought in this measure is to provide a bridge to allow the KIRC to develop these community-wide partnerships, establish collaborative enterprises with other state and federal government entities, and launch long-term revenue generation and sustainable funding opportunities supporting the future of Kaho`olawe. The passage of this measure is critical to ensure that the struggle, hard work, dedication and lives given to the island will not be wasted, but forms the foundation for Kaho`olawe role as the spiritual, cultural and physical *piko* (center) of the people of Hawai`i.

ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

Hearing Date: April 1, 2015

Senator Jill N. Tokuda, Chair
Senator Ronald D. Kouchi, Vice Chair
and Members of the Senate Committee on Ways and Means
Conference Room 211
State Capitol
415 South Beretania Street
Honolulu, Hawai'i

Aloha Chair Tokuda, Vice Chair Kouchi, and Committee Members:

**SUBJECT: SUPPORT FOR FUNDING FOR THE KAHO`OLAWE ISLAND
RESERVE COMMISSION IN HB438 AND HB500**

Please accept this testimony in support of providing sufficient funding for the continued restoration and management of the Kaho`olawe Island Reserve (Reserve).

Funding can be provided to the Kaho`olawe Island Reserve Commission (KIRC) in House Bill 500, which appropriates funds for the operating and capital improvement budget of the Executive Branch for fiscal years 2016 and 2017, or through HB438, which provides a direct appropriation. Both bills are being heard by your Committee on April 1, 2015.

Whether through HB500 or HB438, or both, it is essential that the KIRC receives sufficient funding for its annual operating budget of \$2.7 million to ensure that essential programs and operations are not disrupted.

A continuous round-the-clock 24/7 presence on Kaho`olawe is needed to ensure the protection of the general public because 25 percent of the island remains uncleared of unexploded ordnance. Hawai'i's people benefit every day from KIRC's Restoration, Ocean Resources and Cultural programs, as they have made great strides in restoring and protecting Kaho`olawe's native ecosystems and cultural resources. Thousands of volunteers from throughout the state have contributed to these efforts over the years; their work should be honored by allowing these programs to continue. HB500 and/or HB438 can provide this funding support.


The continued restoration includes the island of Kaho`olawe and 90 square miles of its surrounding waters. As the Chair and Maui County representative for the Kaho`olawe Island Reserve Commission (KIRC), I can attest to the urgency and importance of providing this secure, short-term source of funding. Those of you who have been able to visit Kaho`olawe would hopefully agree.

Senator Jill N. Tokuda, Chair
Senator Ronald D. Kouchi, Vice Chair
and Members of the Senate Committee on Ways and Means
Hearing Date: April 1, 2015
Page 2

When the State accepted the return of Kaho`olawe from the United States in 1994, it clearly accepted the responsibility to preserve and manage the Reserve. The terms of this acceptance were also stated in the federally-mandated Kaho`olawe Island Conveyance Commission final report to Congress in 1993: "in the short term, federal funds will provide the bulk of the program support for specific soil conservation projects and related activities. **In the longer term, however, state revenues will be needed to continue and enhance those activities initiated with federal funds**" (emphasis added). This funding responsibility, therefore, belongs to the State.

Full funding of no less than \$2.7 million annually will fulfill the State's commitment to restore and protect the Reserve; your support will be sincerely appreciated.

Mahalo for your consideration,



MICHELE McLEAN
Deputy Planning Director, County of Maui
Chair, Kaho`olawe Island Reserve Commission



LAND USE RESEARCH
FOUNDATION OF HAWAII

1100 Alakea Street, Suite 408
Honolulu, Hawaii 96813
(808) 521-4717
www.lurf.org

March 30, 2015

Senator Jill N. Tokuda, Chair
Senator Ronald D. Kouchi, Vice Chair
Senate Committee on Ways and Means

Comments and Support of HB 438, HD1, SD1 Making an Appropriation to the Kaho'olawe Island Reserve Commission (Appropriates funds to the Kaho'olawe Island Reserve Commission for restoration and preservation projects. Requires submission of financial self-sufficiency and sustainability plan to legislature twenty days prior to 2016 regular session. [SD1])

WAM Hearing: Wednesday, April 1, 2015, 1:30 p.m., in Conf. Rm. 211

The Land Use Research Foundation of Hawaii (LURF) is a private, non-profit research and trade association whose members include major Hawaii landowners, developers and a utility company. LURF's mission is to advocate for reasonable, rational and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawaii's significant natural and cultural resources, and public health and safety.

LURF **supports** HB 438, HD1, SD1, which appropriates general funds, in an amount to be determined by the Legislature, to the Kaho'olawe Island Reserve Commission (Commission) for restoration and preservation projects.

LURF also respectfully recommends that this Committee and the Commission consider an **amendment** to this measure to add a provision to address the issues raised in the State Auditor's July 2013 Report No. 13-06, Audit of the Kaho'olawe Rehabilitation Trust Fund (pursuant to SCR 63 SD1 [2012]). The 2013 Auditor's report: (1) found that the Commission has not developed a comprehensive and measurable restoration plan, including estimated costs and timeframes for completion; and (2) noted that the Commission has been unsuccessful at meeting its fundraising goals and has been unable to secure long-term funding.

LURF believes that the continued restoration and preservation of Kaho'olawe Island is important to the State of Hawaii. Thus, based on the 2013 Auditor's report, this measure should be **amended** to provide that if the Commission cannot establish a successful long-term funding plan, the Commission could be supported through continued general fund appropriations such as this measure.

For the reasons stated above, LURF **supports** HB 438, HD1, SD1, and respectfully urges your favorable consideration of this bill, as well as the LURF's **proposed amendments** that are consistent with the intent of this measure.

Thank you for the opportunity to present testimony regarding this measure.



**Conservation Council
for Hawai'i**

Hawai'i's voice for wildlife

Kō Hawai'i leo no nā holoholona lōhiu



Testimony Submitted to the
Senate Committee on Ways and Means

Hearing: Wednesday, March 1, 2015 1:30 pm Room 211

In Support of HB 438 HD1 SD1 Making an Appropriation to the Kaho'olawe Island Reserve Commission

Aloha, Chair Tokuda, Vice Chair Kouchi, and Members of the Committee. The Conservation Council for Hawai'i supports HB 438 HD1 SD1, which appropriates funds to the Kaho'olawe Island Reserve Commission for restoration and preservation projects.

It is unfortunate that the United States military did not provide sufficient funding to restore Kaho'olawe to its pre-military target condition. Kaho'olawe is an extreme example of what happens with military occupation of land around the world and in our island home. Damage is done, resources are destroyed, and the people are left to clean up the mess.

We ask you in the Hawai'i State Legislature, Governor Ige, and Hawai'i's Congressional Delegation to secure the necessary additional funding from the federal government to fully restore Kaho'olawe. In the meantime, HB 438 will help to protect our previous investment of federal taxpayer dollars in restoring the island. Do not let these past restoration efforts go to waste by turning away and neglecting the Kaho'olawe as we once did many years ago. Please kokua.

Here are photos of the native hinahina and pa'u o Hi'iaka reclaiming the land on Kaho'olawe. Mahalo nui loa for the opportunity to testify.



Sincerely,

Marjorie Ziegler

Marjorie Ziegler

Conservation Council for Hawai'i is a nonprofit, environmental membership organization dedicated to protecting native Hawaiian plants, animals, and ecosystems for future generations. Established in 1950 and based in Honolulu, CCH is one of the largest and most effective wildlife organizations in Hawai'i with more than 5,000 members and supporters, including concerned citizens, educators, scientists, government agencies, and elected officials.

Through research, education, service, organizing, and legal advocacy, CCH works to stop the destruction of native wildlife and wild places in Hawai'i.

Since 1973, CCH has served as the Hawai'i state affiliate of the National Wildlife Federation.

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P.O. Box 2923 | Honolulu, HI 96802 | Office: 250 Ward Ave., Suite 220 | Honolulu, HI 96814

President: Hannah Kihalani Springer | Vice-President: Julie Leialoha | Treasurer: Bianca Isaki | Secretary: Wayne Tanaka
Directors: Rick Barboza | Ryan Belcher | Maka'ala Ka'aumoana | Koalani Kaulukukui
Executive Director: Marjorie Ziegler | Administrator: Jonnetta Peters





**Department of Land and Natural Resources
Aha Moku Advisory Committee
State of Hawaii
Post Office Box 621
Honolulu, Hawaii 96809**

Testimony of
Leslie Kuloloio
Po'o, Moku O Kanaloa (Kahoolawe)
Aha Moku Advisory Committee

Before the Senate Committee on
Ways and Means

Wednesday, April 1, 2015
1:30 P.M.
State Capitol, Conference Room 211

In **SUPPORT** of

House Bill 438 HD 1 SD 1
Making an Appropriation to the Kaho'olawe Island Reserve Commission

House Bill 438 HD 1 SD 1 appropriates funds to the Kaho'olawe Island Reserve Commission for restoration and preservation projects. It requires submission of financial self-sufficiency and a sustainability plan to the Legislature twenty days prior to 2016 regular session. **The Aha Moku supports this bill as it reflects the State's commitment to oversee the use and restoration of the reserve as it was stated in 2004 when the management and control of the island was transferred to the State of Hawaii from the United States Navy.**

The Aha Moku encompasses the eight main Hawaiian Islands and supports the traditional and generational knowledge of the people who are connected to Kanaloa, the traditional name for Kahoolawe. This includes Native Hawaiians who have generational knowledge of the island yet live within the Moku of Honuauia on the Island of Maui. Traditionally, they traveled back and forth to Kahoolawe and are intimately involved with the cultural practices still held there.

It is imperative that KIRC continue to implement their pioneering restoration projects that have proven to be effective in the extremely harsh conditions on the Island caused by the destructive actions of the past including extensive soil erosion, destruction of sacred places and natural and cultural resources. After 10 years of escalating hope of the Hawaiian people that Kanaloa would one day be a place of safety and peace, we cannot lose this hard-won faith of our people and the public trust in this endeavor because of a lack of funding. Value cannot be measured by funding.

HB438

Submitted on: 3/30/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Leimomi Khan	Kalihi Palama Hawaiian Civic Club	Support	No

Comments: The Kalihi Palama Hawaiian Civic Club continues to support this bill that seeks appropriations for the Kahoolawe Island Commission's restoration and preservation projects.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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PROTECT KAHO‘OLAWE ‘OHANA
P.O. Box 39
Kaunakakai, Hawai‘i 96748



Testimony Presented Before the Senate Committee on
Ways and Means
Wednesday, April 1, 2015
1:30 pm
State Capitol, Conference Room 211

By Joshua Kaakua for the
Protect Kaho'olawe 'Ohana

IN SUPPORT OF HB 438 SD1

Chair Tokuda, Vice Chair Kouchi, and members of the Senate Committee on Ways & Means. Aloha. My name is Joshua Kaakua testifying on behalf of the Protect Kaho‘olawe ‘Ohana (‘Ohana) **in support of HB 438 SD1.**

The island of Kanaloa Kaho‘olawe is of significant historical and contemporary importance to the people of Hawai‘i and to Kanaka Maoli. The all-volunteer, grassroots organization Protect Kaho‘olawe ‘Ohana understands the unique challenges of restoring, preserving, and stewarding the cultural and natural resources of the island. In this regard, the ‘Ohana fully supports the valuable work of the Kaho‘olawe Island Reserve Commission (KIRC) to address future restoration, appropriate use management, and safe and meaningful access to the island reserve. The ‘Ohana is in support of HB 438 SD 1 as a means to ensure continuation of the vital service KIRC provides to the State and for the cultural and natural resources of Kanaloa Kaho‘olawe.

Thank you for the opportunity to provide testimony.

Aloha ‘Āina

Davianna Pōmaika'i McGregor, PhD
1942 Naio St.
Honolulu, HI 96817

TESTIMONY IN SUPPORT OF HB 438 SD1 MAKING AN APPROPRIATION TO THE
KAHO'OLAWE ISLAND RESERVE COMMISSION

Chair Jill Tokuda, Vice-Chair Ron Kouchi, and members of the Senate Committee on Ways and Means, aloha kākou. My name is Davianna Pōmaika'i McGregor. I am a Professor of Ethnic Studies at the University of Hawai'i, Mānoa. I am testifying in STRONG SUPPORT OF HB 438, SD1 because I strongly support funding of the Kaho'olawe Island Reserve Commission so that it can continue its innovative approaches in the restoration of the natural resources of the island.

I have been a member of the Protect Kaho'olawe 'Ohana for the past thirty years and a supporter of the movement to stop the bombing of the island from its beginning in January 1976. The bombing stopped in October 1990 and the U.S. Congress established the Kaho'olawe Island Conveyance Commission, which recommended the termination of all military use of the island and its transfer to the State of Hawai'i to manage as a national cultural treasure.

Federal and state law and the deed of transfer define very limited uses of the island because the island has been used as a live fire ordnance delivery range for over fifty (50) years and every kind of convention weapon had been tested and delivered on the island.

Both Title X and the Memorandum of Understanding, which are encumbrances on the deed that transferred control of the island from the U.S. Navy to the State of Hawai'i, limit the uses of the areas cleared of unexploded ordnance to a depth of four feet, **(2,646 acres - only 10% of the island)** for the following: **"(a) grassland or other vegetation; or (b) trail or road; or (c) historical, cultural, or archaeological site; or (d) reservoir; or (e) heliport; or (f) suitable human habitation."** Moreover, the U.S. Navy can only guarantee that they are ninety percent (90%) confident that eighty -five percent (85%) of the ordnance was cleared to a depth of four (4) feet. Commercial uses were not anticipated in these areas

In addition 66% of the island (17,819 acres) has only be cleared of surface ordnance and 23% of the island (6,691 acres) and ALL of the surrounding ocean have not been cleared at all. Commercial uses should not be permitted in these areas.

Throughout the past twenty-one (21) years, the KIRC has managed the island with funds appropriate by the U.S. Congress for the clean up and restoration of the island. As these original federal funds will all be spent by the end of 2015, it is timely for the Hawai'i state legislature to now fulfill the responsibility that it assumed for the island at the time of its transfer in 1994. Please appropriate the monies now needed to provide for the ongoing security, management and culturally appropriate uses of the island.

The I Ola Kanaloa 2026 plan projects the expansion of community partnerships with the KIRC in helping to fund and carry out twenty-nine (29) projects within eight (8) programmatic areas over the next eleven (11) years. The island of Kanaloa Kaho'olawe is a unique and sacred place that inspired my generation to revive our Native Hawaiian cultural and spiritual customs and practices and assume our responsibilities to Aloha 'Āina. By 2026, the I Ola Kanaloa plan envisions the island as a premier Hawaiian learning center for the refining, mastering and expanding of Hawaiian skills and practices, nurtured by Kanaloa Kaho'olawe. It will also be a model of living sustainably wherein the resources of the island are used in a responsible and sustainable manner using little or no fossil fuels. As in the past, the island will continue to be a place for renewing connections through honoring the natural environment and revitalizing cultural relationships. The achievement of these goals will not only enrich the State of Hawai'i, it will also provide a firm foundation for the emergence of the Hawaiian nation as envisioned by the Hawai'i legislature in Act 195. The monies that would be appropriated by HB 438, SD1 will be carefully spent in meaningful ways that will enrich the lives of the people of Hawai'i

Melody Kapilialoha MacKenzie
579 Kāne‘apu Place, Kailua, Hawai‘i 96734

H.B. 438, H.D.1, S.D. 1
Making an Appropriation to the Kaho‘olawe
Island Reserve Commission

Committee on Ways and Means
Senator Jill N. Tokuda, Chair
Senator Ronald D. Kouchi, Vice Chair
Decision Making - Wednesday, April 1, 2015, at 1:30 pm

Mahalo for the opportunity to submit written comments in **support** of H.B. 438 H.B. 1, S.D. 1, regarding an appropriation to the Kaho‘olawe Island Reserve Commission (KIRC). I am a professor at the William S. Richardson School of Law but I submit these comments in my personal capacity. Over the years, I have represented many Maoli individuals and organizations involved in land issues, in asserting their traditional and customary rights, and in defending and protecting Native Hawaiian programs.

I am sure that members of this Committee know and understand the long history and struggle to regain Kaho‘olawe for the people of Hawai‘i and to restore – perhaps a better word is to “rediscover” – its sacredness. Kaho‘olawe is associated with Kanaloa, one of the four primary Hawaiian gods, who is the god of the ocean, ocean currents, and navigation. Kaho‘olawe is distinguished as the only main Hawaiian island named for a major Polynesian deity. Today, Kaho‘olawe is recognized as a wahi pana (legendary place) and pu‘uhonua (sanctuary).

Through the work of KIRC and the Protect Kaho‘olawe ‘Ohana and other members of the Hawaiian community, Kaho‘olawe has regained its place and is recognized for its significant cultural and historic importance to the Maoli community and to all of the people of Hawai‘i. In order to continue this important work, KIRC needs to receive significant and continuing funding from the State of Hawai‘i. I urge this Committee to pass this bill in order to allow Kaho‘olawe to continue to thrive. Mahalo for the opportunity to express strong **support** for 438 H.B. 1, S.D. 1.

Kelvin Ho
PO Box 769,
Lawai Hawaii 96765
808. 3327263
kelkauai@gmail.com

March 31, 2015

Aloha Legislators

I am writing in support of HB 438 to help to fund the ongoing restoration efforts by the KIRC on Kaho`olawe. As a long time member of the Protect Kaho`olawe `Ohana I am well aware of the critical role they play in the restoration, regreening and healing of this sacred place. This measure will help to ensure their continued service and is vital to insure that the state uphold the mandate of no commercial activity on island. It is vital for the well being of our islands to have a sacred space free from commercial activity at its core and I urge you to support this.

Mahalo,

Kelvin Ho

**Colette Y. Machado
PO Box 142
Kaunakakai, HI 96748**

March 31, 2015

**HB438 HD1 SD1 – Making an appropriation to the Kaho‘olawe Island Reserve
Commission
Senate Committee on Ways and Means
Wednesday April 1, 2015 1:30 pm
Conference Room 211**

I am in full support of HB438 HD1 SD1 making and appropriation to the Kaho‘olawe Island Reserve Commission. I am the elected Office of Hawaiian Affairs, Trustee for the islands of Molokai and Lanai. My testimony reflects my own personal testimony and does not reflect the Board of Trustees of OHA. I am a member of the Protect Kaho‘olawe Ohana and previously served as a Commissioner with Kaho‘olawe Island Reserved Commission.

Kaho‘olawe was critical to the Hawaiian cultural renaissance, and continues to serve as an integral education center for traditional navigation, hula, natural resource management, and other cultural tradition and disciplines.

As the only Island Reserve set up entirely in trust for a Native Hawaiian Sovereign Entity, the Kaho‘olawe Island Reserve Commission is well poised to change the economic landscape and life quality of Native Hawaiians and the communities in which they reside by means of a truly unique experience on the island of Kaho'olawe. To many, Kaho‘olawe is a symbol of resilience, hope for the future of the Hawaiian Nation, and an opportunity to rebuild a cultural heritage.

The mission of the Kaho‘olawe Island Reserve Commission is to implement the vision for Kaho'olawe Island in which the kino (body) of Kaho'olawe is restored and na poe o Hawai‘i (the people of Hawai‘i) care for the land. The Commission has pledged to provide for the meaningful and safe use of Kaho‘olawe for the purpose of the traditional and cultural practices of the native Hawaiian people and to undertake the restoration of the island and its waters.

The State must maintain the responsibility of supporting the Kaho‘olawe Rehabilitation Trust Fund. This measure is critical to ensure that the struggle, hard work and dedication and lives given to the island will not be wasted. Please fulfill the State’s responsibility to fund the Kaho‘olawe Island Reserve Commission and look for alternate language that will be appropriate for revenue generation regarding Kaho‘olawe.

Mahalo for the opportunity to testify on this important measure.

Colette Y. Machado

Testimony re HB438 SD1

From Christopher McLeod, 2150 Allston Way, Suite 440, Berkeley CA 94704
director@sacredland.org
510-859-9190

I fully support HB438 SD1.

For the last seven years I have been producing a documentary film series for public television entitled *Standing on Sacred Ground*, profiling eight cultures around the world protecting sacred sites. Our concluding story features the important story of Kaho`olawe. The films are being broadcast on PBS around the United States starting in April.

As our films head for PBS broadcast in places like Honolulu, it is heartening to continue to cultivate the relationships that led to the film stories being told. Collaboration with the [Protect Kaho`olawe `Ohana](#) has been rich and rewarding—and the process continues. Over the past year, the PKO has used our Kaho`olawe film segment in communities around the islands as an introduction to “vision meetings” where Hawaiian citizens are exploring the future of the island, so badly scarred by years of overgrazing and bombing by the U.S. Navy. How to heal and take care of a sacred place for future generations?

As mentioned in the film, and as addressed in HB438 SD1, a crisis is looming: how to pay for the continued restoration and maintenance of the island? Transportation, scientific monitoring, law enforcement, unexploded ordnance removal (when bombs surface, which they do), erosion control, seeds and plants all cost money.

The federal funds that were used for the clean-up and an initial budget for the Kaho`olawe Island Reserve Commission (KIRC), have been almost totally spent. By July, just \$1.2 million will remain, less than half of the KIRC’s annual budget, and funds will run out by year’s end. As the state of Hawaii looks at whether and how to provide funding, the most crucial question is: what strings will legislators attach to the money? Will Hawaii’s elected officials share the vision for Kaho`olawe developed by the people who have lived and died for the island for 40 years? It is very important that the island remain essentially commercial free.

Those lawmakers who want to amend the charter governing the island to allow “limited commercial use” should avoid that language. It makes sense to allow “revenue generating” activities, such as use and access fees. But commercial activity on or just off the island would undermine all that has been achieved.

Auditors and critics can criticize the KIRC for failing to restore more of the island, and for depleting their limited funds. But no less than the U.S. Congress and the U.S. Navy failed miserably to estimate how much it would cost and how long it would take to clear the weapons of war and make the island 100% safe. They didn’t come close. And this is an historic, internationally significant place—a sacred place—let alone the first land set aside for a future sovereign Hawaiian government. It’s priceless. Period.

Please let Kaho`olawe be a shining success story of cultural revival and healing without forcing commercialism upon the heroes who fought for it. Keep the casinos and wind farms at least seven miles away. Let Kaho`olawe continue to be a natural

and cultural refuge of experimentation and inspiration, of low-impact living, of ancient cultural values like *aloha aina*, of living with the untamed wind, and always keeping an eye on *hokulea*, the north star.

The Hawaiian legislature should commit continuing annual funding for the KIRC and PKO to restore Kaho`olawe, with no strings attached. I fully support HB438 SD1.

Noa Emmett Aluli, M.D.
P.O. Box 39
Kaunakakai, Hawai'i 96748

TESTIMONY IN SUPPORT OF HB 438 SD 1 MAKING AN APPROPRIATION
TO THE KAHO`OLAWE ISLAND RESERVE COMMISSION

Aloha Kakou Senator Jill Tokuda, Chair, Senator Ron Kouchi, Vice Chair, and members of the Senate Ways and Means Committee Senators Suzanne Chun Oakland, Donovan Dela Cruz, Kalani English, Brickwood Galuteria, Breene Harimoto, Lorraine Inouye, Gil Riviere, Russell Ruderman and Sam Slom.

I am Noa Emmett Aluli, MD a primary health care physician in Family Practice on Moloka`i since 1976, and a Medical Director of the Molokai General Hospital since 1995.

I am a member of the Protect Kaho`olawe `Ohana (PKO) - one of the "nine" who occupied the island in 1976; the lead plaintiff in our civil suit against the Navy, and one of many PKO members who negotiated a Consent Degree with the Navy which allowed accesses to the Kaho`olawe for religious, cultural, educational and restoration purposes; and again one of many who actively orchestrated the "bipartisan" ending of the bombing and the establishment of the Kaho`olawe Island Conveyance Commission, whose final report to Congress recommended restoring Kaho`olawe as a National Cultural Treasure.

I have served on the Kaho`olawe Island Reserve Commission (KIRC) for 5 interrupted terms and have had the privilege to be deeply involved in the "greening of Kanaloa Kaho`olawe, a legacy that we all carry on the shoulders of George Helm and Kimo Mitchell, and our kupuna who sparked our generation to "imua na pua lanakila Kaho`olawe" - bring victory to Kaho`olawe.

I passionately support HB 438 SD 1 to provide funding to the KIRC, without any provision for commercial activities or revenue generation, as an individual!

Our work is not "uku pau."

I ask you to kōkua the funds for KIRC to continue its work these next two years, and to allow us to unfold *I OLA KANALOA!* - a plan for Kanaloa Kaho`olawe through 2026 before making any changes to HRS 6K.

I ask that you allow us the opportunity to develop partnerships to make a collective impact to bring life to Kanaloa for the generations to follow us, as Kaho`olawe is the first lands for our nation.

Yes, we will have a plan toward sustainability for Kanaloa Kaho`olawe before the next session opens.

Mahalo

I, Terri Gavagan, support KIRC bill HB438.

...

Please support this important measure to provide financial support and stability of the restoration and protection of the Kaho'olawe Island Reserve, which will benefit all of Hawai'i's people for generations to come.

...

This funding is also important for future generations of Hawai'i's people. The young people who have had the opportunity to do restoration work on the island have been inspired by it to pursue careers in marine biology, restoration, and Hawaiian Studies as well as other fields with the desire to not only continue the restoration work on Kaho'olawe and the continuation of the perpetuation of Hawaiian culture but to work in other areas of Hawai'i. My daughter is one such young person. She intends to pursue both marine biology and astronomy with the goal of being a marine biologist in the Kaho'olawe Island Reserve in order to protect the ocean life within it.

As a taxpayer, I realize that there are many areas which need the financial resources for the State. However, I believe that when the State of Hawaii accepted the Reserve from the Navy it took on the responsibility for the Reserve, including financial responsibility. The Reserve has received no state funding except for capital improvement projects since its inception. The annual budget of \$2.7 million is quite small when one considers that the staff of the Kaho'olawe Island Reserve Commission provides all the services that the counties and State provide on the other islands--safety, water, refuse, electricity, etc.

Again, I ask you to fulfill the State's responsibility to care for the Reserve until such time as a Native Hawaiian sovereign entity is recognized.

Mahalo.

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: anelamarie@gmail.com
Subject: *Submitted testimony for HB438 on Apr 1, 2015 13:30PM*
Date: Tuesday, March 31, 2015 3:39:52 PM

HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Anela Evans	Individual	Support	No

Comments:

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Cc: mreyesecology@gmail.com
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Date: Tuesday, March 31, 2015 2:12:08 PM

HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Reyes	Individual	Comments Only	No

Comments: I, Michael Reyes, support KIRC bill (HB438). This measure could help the KIRC not only in its efforts to conserve the unique resources of the Reserve but also help educate the public in the importance of its mission. Let's repair the damage this beautiful island has endured over the years! Mahalo

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Cc: kaiulani@kalo.org
Subject: Submitted testimony for HB438 on Apr 1, 2015 13:30PM
Date: Tuesday, March 31, 2015 1:31:34 PM

HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Ka'iulani Pahi'o	Individual	Support	No

Comments: Mahalo for your support!

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Cc: jonbrito@hawaii.edu
Subject: *Submitted testimony for HB438 on Apr 1, 2015 13:30PM*
Date: Tuesday, March 31, 2015 1:27:45 PM

HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Jon Brito	Individual	Support	No

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Subject: *Submitted testimony for HB438 on Apr 1, 2015 13:30PM*
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HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Akao	Individual	Support	No

Comments:

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Cc: waysonjosue3@gmail.com
Subject: Submitted testimony for HB438 on Apr 1, 2015 13:30PM
Date: Tuesday, March 31, 2015 1:07:18 PM

HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Wayson Josue	Individual	Support	Yes

Comments: Aloha, my name is Wayson Josue and I am a senior at Waianae High School. I was fortunate enough to be allowed to do volunteer work on the island of Kahoolawe in April last year. Although I am not of native Hawaiian decent, I feel a special connection to the land that I live on and it's native people. I'm currently in the Hawaiian Studies program, and with this program I was given the opportunity to work on Kahoolawe for a total of 5 days. Doing the restoration work and hearing stories about the island that we were on was a life-changing experience. I'm now more aware of the dangers of human development and unsustainable resource management. I was also made aware of the cultural insensitivity that the U.S. Displayed when they commenced target practice on a place sacred for the indigenous population. Please take my opinions and beliefs into account. Thank you.

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Cc: kaonohilee@hawaiiantel.net
Subject: Submitted testimony for HB438 on Apr 1, 2015 13:30PM
Date: Tuesday, March 31, 2015 12:59:41 PM

HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

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

Comments: Aloha Senator Tokuda and members of the Ways and Means Committee, Mahalo for allowing the submittal of written testimony. I support this important measure because I feel it is important for the work of the KIRC to continue. The kuleana that KIRC took on as the state agency responsible for managing the Kahoolawe Island Reserve is huge, but KIRC has managed to make great strides toward the end result - to return the management of Kaho`olawe to a recognized sovereign entity in better condition than the condition in which the State of Hawaii received it. There is still much work to be done and a need to maintain and continue to grow what has already been done. I also support the condition for receiving this funding; that KIRC must submit a financial sustainability plan for it lends to accountability and justifies that this is a good investment for the people of Hawaii and the future model of sustainability. I humbly ask that you consider this important measure to provide some form of funding for the KIRC to continue its work; which will in turn show your vote of confidence toward the success of restoring this treasure; a wahi pana and a pu`u honua for so many people far and near! Me ke aloha maluhia, Ka`onohi Lee

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Cc: kaleohano96795@gmail.com
Subject: *Submitted testimony for HB438 on Apr 1, 2015 13:30PM*
Date: Tuesday, March 31, 2015 12:28:39 PM

HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
marisa	Individual	Support	No

Comments:

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Cc: flamep@hawaii.edu
Subject: Submitted testimony for HB438 on Apr 1, 2015 13:30PM
Date: Tuesday, March 31, 2015 11:52:59 AM

HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Flame K Porter	Individual	Support	No

Comments: Support the movement for the restoration of our island

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Cc: wadenokaioi@gmail.com
Subject: *Submitted testimony for HB438 on Apr 1, 2015 13:30PM*
Date: Tuesday, March 31, 2015 11:07:09 AM

HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Wade Holmes	Individual	Support	No

Comments:

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Subject: Submitted testimony for HB438 on Apr 1, 2015 13:30PM
Date: Tuesday, March 31, 2015 11:05:19 AM

HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Paul Janes-Brown	Individual	Support	No

Comments: Kaho'olawe is a unique ecosystem preserving immensely valuable cultural and biological resources. It is surrounded by the richest marine ecosystems remaining in the Main Hawaiian islands and providing replenishment of fish and invertebrates to other islands' waters. The KIRC's massive restoration program designed to revitalize the ecology and cultural history of the island will benefit all of Hawai'i's people for generations to come. It is a sacred place where the Hawaiian culture is preserved and continued in perpetuity. As long as we recognize how special it is, we must do what we can to support the people of Hawaii. Please support this bill.

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Subject: Submitted testimony for HB438 on Apr 1, 2015 13:30PM
Date: Tuesday, March 31, 2015 10:47:56 AM

HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Anne-Marie Forsythe	Individual	Support	No

Comments: The Kirc is vital to the preservation of Kaho`olawe and I support this bill

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Subject: *Submitted testimony for HB438 on Apr 1, 2015 13:30PM*
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HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Birgitte Golden	Individual	Support	No

Comments:

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Cc: chefg@maui.net
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Date: Tuesday, March 31, 2015 10:41:38 AM

HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Daniel J. Southmayd	Individual	Support	No

Comments:

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HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Rosina Potter	Individual	Support	No

Comments: The KIRC should be supported in their efforts for the island of Kaho'olawe.

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Subject: Submitted testimony for HB438 on Apr 1, 2015 13:30PM
Date: Tuesday, March 31, 2015 10:20:49 AM

HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Chantrelle Waialae	Individual	Support	No

Comments: Kaho'olawe is a unique ecosystem preserving immensely valuable cultural and biological resources. It is surrounded by the richest marine ecosystems remaining in the Main Hawaiian islands and providing replenishment of fish and invertebrates to other islands' waters. The KIRC's massive restoration program designed to revitalize the ecology and cultural history of the island will benefit all of Hawai'i's people for generations to come. As the only Island Reserve set up entirely in trust for a Native Hawaiian Sovereign Entity, the KIRC is well poised to change the economic landscape and life quality of Native Hawaiians and the communities in which they reside by means of a truly unique experience on the island of Kaho'olawe. The State must maintain the responsibility of supporting the Kaho'olawe Rehabilitation Trust Fund. As the only island listed on the National Register of Historic Places in its entirety, containing nearly 3,000 archaeological sites and features, it is imperative that the State preserves this important resource for current and future generations through this financial support system. Please support this bill.

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Subject: Submitted testimony for HB438 on Apr 1, 2015 13:30PM
Date: Tuesday, March 31, 2015 10:19:23 AM

HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Kelly McHugh	Individual	Support	No

Comments: I, Kelly McHugh, support KIRC bill HB438. This measure could help the KIRC not only in its efforts to conserve the unique resources of the Reserve but also help educate the public in the importance of its mission. Please support this important measure to provide financial support and stability of the restoration and protection of the Kaho'olawe Island Reserve, which will benefit all of Hawai'i's people for generations to come.

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Date: Tuesday, March 31, 2015 10:06:11 AM

HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
James Bruch	Individual	Support	No

Comments:

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Cc: mmsantos@kirc.hawaii.gov
Subject: Submitted testimony for HB438 on Apr 1, 2015 13:30PM
Date: Tuesday, March 31, 2015 10:01:07 AM

HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Mei Mailou-Santos	Individual	Support	No

Comments: Please support this important measure to provide financial support and stability of the restoration and protection of the Kaho'olawe Island Reserve, which will benefit all of Hawai'i's people for generations to come. ... As the only Island Reserve set up entirely in trust for a Native Hawaiian Sovereign Entity, the KIRC is well poised to change the economic landscape and life quality of Native Hawaiians and the communities in which they reside by means of a truly unique experience on the island of Kaho'olawe. The State must maintain the responsibility of supporting the Kaho'olawe Rehabilitation Trust Fund.

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HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Kama Hopkins	Individual	Support	No

Comments:

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HB438

Submitted on: 3/31/2015

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Submitted By	Organization	Testifier Position	Present at Hearing
Robert K. Lindsey, Jr.	Individual	Support	No

Comments:

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Date: Tuesday, March 31, 2015 9:07:33 AM

HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Thomas Brennon	Individual	Support	No

Comments: I support empowering KIRC to become self sufficient by creating a plan that they can use to insure there sustainability.

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Subject: *Submitted testimony for HB438 on Apr 1, 2015 13:30PM*
Date: Monday, March 30, 2015 4:30:25 PM

HB438

Submitted on: 3/30/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

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

Comments:

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Date: Monday, March 30, 2015 3:24:04 PM

HB438

Submitted on: 3/30/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Bobby-John Campbell	Individual	Support	No

Comments:

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Subject: *Submitted testimony for HB438 on Apr 1, 2015 13:30PM*
Date: Monday, March 30, 2015 3:05:53 PM

HB438

Submitted on: 3/30/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Erik Vuong	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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HB438

Submitted on: 3/31/2015

Testimony for WAM on Apr 1, 2015 13:30PM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Hardy Spoehr	Individual	Support	No

Comments: Aloha. It is critical that the Legislature support the KIRC, particularly at this time, as the state has already moved to recognize Native Hawaiians as the Indigenous Peoples of Hawai'i. Kaho'olawe serves as the tangible symbol of that recognition. I was privileged and honored to have been a part of the staff for the KICC and it was our belief that the State would be an honorable trustee of the island until such time as a "sovereign entity" was established. That trust needs to be upheld. Thank you for the opportunity to comment in support of HD 438 SD 1. Hardy Spoehr

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