
A BILL FOR AN ACT

RELATING 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 was 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
15 appropriations totaling approximately \$44,000,000 over a period
16 of several years was not substantial enough to establish a



1 sustainable endowment for the long-term restoration of
2 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". From 1994 until 2016, federal funding has
10 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 fifteen years, the Kaho'olawe
20 island 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 report found that
6 the trust fund would be depleted by 2016. Second, the Kaho'olawe
7 island reserve commission lacks a comprehensive and quantifiable
8 restoration plan with performance measures to gauge whether
9 objectives are being met.

10 In 2013, the Kaho'olawe island reserve commission embarked
11 on the development of a 2026 strategic plan for Kaho'olawe,
12 marking fifty years of occupation of Kaho'olawe by the people of
13 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,



1 management, and uses of Kaho‘olawe for the State, the people of
2 Hawaii, and a possible future sovereign Native Hawaiian entity.

3 Act 49, Session laws of Hawaii 2017, provided general funds
4 and authorized fifteen positions for fiscal years 2017-2018 and
5 2018-2019. These funds allowed the Kaho‘olawe island reserve
6 commission to continue its mission in the near term, but was
7 only enough to support staffing, Maui-based facilities and
8 limited Maui-based operations. Act 248, Session laws of Hawaii
9 2022, provided a one-time infusion of \$400,000 in general funds
10 for Kaho‘olawe island-based operations for fiscal year 2022-2023
11 and authorized two additional culture resources positions. This
12 funding provided a critical relief for field operations after
13 two years of fiscal austerity, but an increase in the
14 appropriation of general funds for the Kaho‘olawe island reserve
15 commission is needed to ensure that Kaho‘olawe's on-island
16 operations, safety, and infrastructure are maintained, and the
17 island remains open for critical restoration and cultural
18 activities.

19 Additionally, with the increased severity of long-term
20 weather conditions in and around the waters surrounding
21 Kaho‘olawe and Maui, additional positions are necessary to



1 augment the Kaho'olawe island reserve commission's boat
2 operations and to expand coastal erosion and shoreline
3 protection projects on Kahoolawe.

4 The purpose of this Act is to provide ongoing funds to the
5 department of land and natural resources for the Kaho'olawe
6 island reserve commission to effectively meet the unique
7 challenges of restoring, preserving, and determining the
8 appropriate uses of the Kaho'olawe island reserve for the people
9 of Hawaii.

10 SECTION 2. There is appropriated out of the general
11 revenues of the State of Hawaii the sum of \$400,000 or so much
12 thereof as may be necessary for fiscal year 2023-2024 and the
13 same sum or so much thereof as may be necessary for fiscal year
14 2024-2025 for the Kaho'olawe island reserve commission.

15 The sums appropriated shall be expended by the department
16 of land and natural resources for the purposes of this Act.

17 SECTION 3. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$72,500 or so much
19 thereof as may be necessary for fiscal year 2023-2024 and the
20 same sum or so much thereof as may be necessary for fiscal year
21 2024-2025 to fund the following positions:



- 1 (1) One full-time equivalent (1.0 FTE) permanent Kaho'olawe
2 island reserve specialist III;
- 3 (2) One full-time equivalent (1.0 FTE) permanent Kaho'olawe
4 island reserve specialist II; and
- 5 (3) One full-time equivalent (1.0 FTE) permanent ocean
6 resource specialist II.

7 The sums appropriated shall be expended by the department
8 of land and natural resources for the purposes of this Act.

9 SECTION 4. This Act shall take effect on July 1, 2023.

10

INTRODUCED BY: _____



JAN 20 2023



H.B. NO. 571

Report Title:

Kaho'olawe Island Reserve Commission; Appropriation

Description:

Appropriates funds for the Kaho'olawe island reserve commission.
Appropriates funds for three full-time equivalent (3.0 FTE)
permanent positions.

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