

December 13, 2021
Agenda Item IV.C

To: KIRC Commissioners

From: Michael K. Nāho‘opi‘i, Executive Director

Subject: Request by the Protect Kaho‘olawe ‘Ohana to approve access dates and activities for 2022.

RECOMMENDED MOTION:

Pursuant to HAR §13-261-13 and Section 8 of the Palapala ‘Aelike Kahu‘āina, approve the proposed access dates and activities for the 2022 calendar year requested by the Protect Kaho‘olawe ‘Ohana (PKO) as KIRC approved and authorized activities.

BACKGROUND & SUMMARY:

At the July 13, 2012 Stewardship Working Group meeting and as reported at the August 10, 2012 Commission meeting, the KIRC and PKO have agreed to use the following terminology:

- **Authorized Activities** – Activities permitted within the Reserve as specified in HRS 6K.
- **Stewardship Agreement Authorized Activities** – Activities approved in the Stewardship Agreement Section 2.
- **KIRC Approved and Authorized Activities** – Activities that have been formally approved by Commission action taken at a duly noticed public meeting as meeting the criteria of Section 8 of the Stewardship Agreement.

As approved at the February 16, 2012 Commission meeting and amended at the December 17, 2012 and February 16, 2017 Commission meetings, the following table is a summary of “KIRC Approved and Authorized Activities.” Continued approval of these activities is contingent upon satisfactory compliance with the coordination and reporting requirements as specified.

The Palapala ‘Aelike Kahu‘āina signed on June 13, 2019 amended Section 8 so that “volunteers acting in a KIRC approved capacity may be regarded as volunteers under chapter 90 HRS. The Department of the Attorney General has the sole authority to determine whether volunteers will receive representation from the Department of the Attorney General for purposes of chapter 662 HRS. Persons conducting only religious and spiritual activities, including but not limited to those listed in Section 6 of this agreement, might not be deemed volunteers for the purposes of Chapter 90, HRS, as each determination will be made on a case-by-case basis.”

There was no request for any changes to the list of KIRC Approved and Authorized Activities.

Table 1: KIRC Approved and Authorized Activities

Activity Name	Activity Description	Coordination Requirements	Reporting Requirements
PKO Revegetation Projects	Includes Native planting, Invasive weed management,	KIRC staff will provide project for the PKO to	Report after each access documenting observations,

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Activity Name	Activity Description	Coordination Requirements	Reporting Requirements
	erosion control, Hakioawa well maintenance	complete consistent with the Restoration Program	activities, finding, results and any other relevant information.
Ka 'Ai a Kanaloa - Marine Debris Cleanup	Collecting, sorting, counting and bagging of beach rubbish	Coordination between KIRC Ocean staff and PKO	See above
Ka 'Ai a Kanaloa - Marine Monitoring	Monitor and document fish and reef conditions	Coordination between KIRC Ocean staff and PKO for a list of project and monitoring sites	See above
Archaeological/Culture Site Mapping, Restoration and Stewardship	Map, stabilize, dedicate, re-dedicate and use cultural, religious and historic sites	Activities consistent with the CUP, comply with HRS 6E and applicable HAR. Projects involving construction or erecting new sites require prior Commission approval. Spiritual and religious activities as proposed activities under the Stewardship Agreement are denied.	See above
Practice of Hawaiian Arts and Science	Implementation through observations, recording, documenting and reporting training of cultural practitioners through the CUP	Activities consistent with CUP. Requires coordination with KIRC Cultural Resources Project Coordinator.	Report after each access documenting observations, information gathered, training conducted, and any other relevant information
Ala Loa	Surveying, flagging, identifying UXO and arch sites, clearing brush with mechanical equipment, power, and hand tools, moving rock to create paths, building/rebuilding ahu sites	KIRC staff will provide site-specific UXO and safety procedures that the PKO must follow. Requires coordination with KIRC Cultural Resources Project Coordinator.	Report after each access documenting their progress, data points (GPS) for surveying, flagging, and identifying UXO.
Trail Stabilization	Evaluate, repair, build, stabilize, align trails, steps, install trail markers/steps and erosion control measures & identify UXO & arch sites, clearing brush with mechanical equipment, power and hand tools, moving rocks to create paths	KIRC staff will provide site-specific UXO and safety procedures that the PKO must follow. Requires coordination with KIRC Cultural Resources Project Coordinator.	Report after each access documenting their progress, data points (GPS) for surveying, flagging, and identifying UXO.
Hakioawa Hale/Halau Building	Survey, evaluate shore-side site, and prepare materials re-purposed from Hale Halawai	Requires coordination with KIRC Cultural Resources Project Coordinator.	Report after each access documenting their progress

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Activity Name	Activity Description	Coordination Requirements	Reporting Requirements
Kilohoku and Kilo Pae Honua	Worldly and Celestial Observations (approved 12/17/12)		Report after each access documenting their progress
Hakioawa facilities and infrastructure maintenance	Maintenance of Hakioawa camp sites and trails. Repairs to Hakioawa Hale and other built facilities in Hakioawa	Repairs and maintenance to Hakioawa Hale made with prior approval and coordination of KIRC	Report any repairs necessary or made to Hakioawa Hale

Section 9 of the Stewardship Agreement specifies that “access dates and list of activities for the upcoming year shall be submitted prior to the December meeting.”

PKO Access Coordinator Kylee Mar submitted the following dates and corresponding activities for 2022.

Table 2: PKO Access and Activities Request for 2022

Month	Dates	Notes
January 2022	January 13 – 17	Makahiki Prep (Honokanai`a)
February 2022	February 9 – 14	Closing Makahiki (Hakioawa to Honokanai`a)
March 2022	March 13 – 16 March 16 – 19	Spring Break (Hakioawa) Spring Break (Hakioawa)
April 2022	March 31 – April 3 April 14 – 17	Hakioawa Hakioawa
May 2022	May 19 – 22 May 27 – 30	Hakioawa Kua Training (Hakioawa)
June 2022	June 9 – 12 June 17 – 20	Hakioawa Ke Ala Polohiwi a Kāne (TBD)
July 2022	June 30 – July 3 July 14 – 17	Hawaiian Canoe Club (Ahupu) Hakioawa
August 2022	August 11 – 14	Hakioawa
September 2022	September 8 – 11	Hakioawa
October 2022	October 13 – 16 October 21 – 24	Hakioawa Kaholokalani (Honokanai`a)
November 2022	November 4 – 8	Opening Makahiki (Hakioawa)
December 2022	December 8 – 11	Hakioawa

Month	Dates	Notes
January 2023	January 5 – 8 January 13- 17	Hakioawa Makahiki Prep (Honokanai`a)
February 2023	February 15 – 20	Closing Makahiki (Hakioawa to Honokanai`a)

METHODS & DISCUSSION:

The KIRC and PKO met via ZOOM for its annual ‘Aelike meeting on December 6, 2021.

The activities listed in the PKO request (Table 1) are consistent with approved and authorized activities (Table 1).


LEGAL AUTHORITY:

Pursuant HRS §6K-6(1), the KIRC shall establish criteria, policies, and controls for permissible uses within the island reserve.

Pursuant HRS §6K-6(5), the KIRC may enter into curator or stewardship agreements with appropriate Hawaiian organizations such as the ‘Ohana.

Pursuant to HAR §13-261-13, the KIRC will allow activities for the preservation and practice of all rights customarily and traditionally exercised by native Hawaiians for cultural and subsistence purposes; allow activities which are educational, and which relate to native Hawaiian cultural practices or to the natural or cultural resources of The Reserve.

 2022 - 2023 Huaka'i Kanaloa-Kaho'olawe Protect Kaho'olawe 'Ohana										
MONTH	Malama <i>[2022 Hui Mauli Ola]</i>	Kaulana Mahina	Days of the Week	Dates (# of days)	Location(s): "Based-out-of/additional support"			Access Coordinator/ Kua & KIT	Group(s)/ Individual(s)	Holidays/Events/Notes
					Hakioawa	Honokanai'a	Ala Loa			
JANUARY	<i>Ka'elo: 'Ianuuli 3 - 31</i>	13 to 16: Huna - Akua	Thurs - Sun	Jan 13 - 17, 2022				Momi w/ Mo'oLono	Makahiki Prep	New Year's Day (01/01/2022)
					X	X				HIDOE Resumes (01/04/2022)
										Kaho'olawe Nine (01/04/1976)
										UH Resumes (01/10/2022)
									Martin Luther King Day (01/17/2022)	
FEBRUARY	<i>Kaula: Pepeluahi 1 - Malaki 2</i>	9 to 14: 'Olekūikolu - Akua	Wednesday to Monday	9 - 14, 2022 (6 days)	X	X	X	Momi w/ Mo'oLono	40th Panina Makahiki	President's Day (02/21/2022)
MARCH [1]	<i>Nana: Malaki 3 - 31</i>	18 to 21: Māhealani - Lā'aukūikahi	Sunday - Wednesday	March 13 - 16, 2022 (4 days)	X					Spring Break: HIDOE (03/14-18/2022)
			Wednesday - Saturday	March 16 - 19, 2022 (4 days)	X					Spring Break: UHM (03/14-18/2022)
			Friday - Monday	March 18 - 21, 2022 (4 days)		X		Piko o Wākea (KSAR)	Piko o Wākea (03/##/2021/Mahina)	
									Hau'oli lā hānau e George Jarrett Helm (03/23/1950)	
									Kūhiō Day (03/25/2022)	
APRIL	<i>Welo: 'Apehila 1 - 30</i>	March 31 to April 3: Muku - Kūkahī	Thursday - Sunday	March 31 - April 3, 2022	X				Limu Hui	Good Friday (04/15/2022)
		12 to 17: Mōhalu - Kulu	Thursday - Sunday	April 14 - 17, 2022	X					Merrie Monarch - ???
										'Ohua in drydock - April 18 to May 22, 2022
MAY	<i>Ikiiki: Mei 1 - 30</i>	12 to 17: Mōhalu - Kulu								UH Last Day of Instruction (05/04/2022)
		19 to 22: Lā'auapau - 'Oleapau	Thursday - Monday	May 19 - May 22, 2022 (4 days)	X					State of Hawai'i receives the Deed to Kaho'olawe from the U.S. Navy (05/07/1994)
		27 to 30: Lono - Hilo	Friday - Monday	May 27 - May 30, 2022 (4 days)	X					UH Commencement (05/14/2022)
										UH Summer Session I Starts (05/23/2022)
									HIDOE Ends (05/26/2022)	
									Memorial Day (05/30/2022)	
JUNE [2]	<i>Ka'aona: Mei 31 - June 28</i>	9 to 12: Huna - Akua	Thursday - Sunday	June 9 - 12, 2022 (4 days)						Kamehameha Day (06/10/2022)
		17 to 20: Lā'aukūikahi - 'Olekūikahi	Friday - Monday	June 17 - 20, 2022 (4 days)		X			Ka Ala Polohiwa a Kāne	Ka Ala Polohiwa A Kāne (06/##/2022/Mahina)
		30 to 3: Hoaka - Kūpau	Thursday - Sunday	June 30 - July 3, 2022 (4 days)			X Ahupu		Ala Loa/Makahiki Prep	UH Summer Session I Ends (07/01/2022)
									Hawaiian Canoe Club	Pualele Father's Day Tournament
JULY	<i>Hinaia'ele'ele - Māhoemua</i>	9 to 14: Mōhalu - Kulu								U.S. Independence Day (07/04/2022)
		14 to 17: Kulu - La'au Pau	Thursday - Sunday	July 14 - July 17, 2022	X					UH Summer Session II Starts (07/05/2022)
										La Ho'ihō'i Ea (07/31/2022)
AUGUST [3]	<i>Māhoemua - Māhoehope</i>	8 to 13: Mōhalu - Kulu								HIDOE Starts (08/01/2022)
		11 to 14: Hoku - La'au kukahi	Thursday - Sunday	August 11 - 14, 2022	X					UH Summer Session II Ends (08/12/2022)
									Limu Hui (?)	Admissions Day (08/19/2022)
									Lana'i Rendezvous Tourney (8/19-21/2022)	
										UHM Starts (08/22/2022)
SEPTEMBER	<i>Māhoehope - 'Ikuwā</i>	7 to 12: Mōhalu - Kulu	Thursday - Sunday	September 8 - 11, 2022	X					Labor Day (09/05/2022)
		22 to 25: Kāne - Muku	Thursday - Sunday	September 22 - 25, 2022		X			Ceremony	Piko o Wākea (09/19-23/2022/Mahina)
OCTOBER	<i>'Ikuwā - Welehu</i>									HIDOE Fall Break (10/3-7/2022)
		13 to 16: Lā'aukūlūa - 'Olekūlūa	Thursday - Sunday	October 13 - 16, 2022	X					Molokai Hoe
										Lahaina Jackpot
		21 to 24: Kāloapau - Maui	Friday - Monday	Oct. 21 - 24, 2022 (4 days)		X		Brutus, CJ, Kahale, Cami, Lāiana, Momi	Aha Ipu A Kāne	*Ceremony: 10/21/2022 (Saturday) Honokanai'a
										Stopped the Bombing (10/22/1990)
NOVEMBER	<i>Welehu - Makali'i</i>	4 to 8: Huna to Akua	Friday - Tuesday	Nov. 4 - 8, 2022 (5 days)	X	X	X	Momi w/ Mo'oLono	Wehena Makahiki	Puka o Makali'i
										HOLD-First Makahiki ceremonies held on Kaho'olawe since early 1800s (1982)
										Transfer of access control is returned from the U.S. Navy to the State of Hawai'i in a ceremony at 'Iolani Palace (11/11/2003)
										Election Day (11/08/2022)
									Veterans' Day (11/11/2022)	
									Thanksgiving Day (11/24/2022)	

 2022 - 2023 Huaka'i Kanaloa-Kaho'olawe Protect Kaho'olawe 'Ohana										
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										La Ku'oko'a (11/28/2022)
DECEMBER	<i>Makali'i - Kā'elo</i>	4 to 9: Mōhalu - Kulu								Consent Decree (12/02/1980)
										Kaho'olawe is sequestered by the U.S. Navy for use as a live ordnance training area at \$1.00 per year. (12/08/1941)
		8 to 11: Māhealani - Lā'aukūlua	Thursday - Sunday	December 8 - 11, 2022	X				Ho'ola Aina	UH Commencement (12/17/2022)
										Ka Ala Polohiwa A Kanaloa (12/##/2022)
										HIDOE Winter Break (12/19-30/2022)
										Christmas Day (12/25/2022) New Year's Eve (12/31/2022)
January 2023 [4]	<i>Kā'elo - Kaulua</i>	2 to 7: Mōhalu - Kulu	Thursday - Sunday	January 5 - 8, 2023	X				Ho'ola Aina	New Year's Day (01/01/2023) UH Resumes (01/09/2023)
		13 to 16: 'Olepau - Kāloapau	Friday - Monday	January 13 - 16, 2023		X				HIDOE Resumes Martin Luther King Day (01/16/2023)
February 2023	<i>Kaulua - Nana</i>	15 to 20: Kāloapau to Hilo	Wednesday - Monday	Pepeluali 15 - 20, 2023 (6 days)	X	X	X	Momi w/ Mo'oLono	Panina Makahiki	President's Day (02/20/2023)
Holding space for: Wa'a, Malama kuleana, Ala Loa										