

July 1, 2022
Agenda Item. IV.B

To: KIRC Commissioners
From: Michael K. Nāho‘opi‘i, Executive Director
Subject: Possible NOAA Partnership in Building Kīhei Operations and Education Center

RECOMMENDED MOTION:

Authorize the KIRC Executive Director to continue discussions with NOAA for a possible partnership in the building of the Kīhei Operations and Education Center

BACKGROUND:

The Hawaiian Island Humpback Whale National Sanctuary (Sanctuary) was created to offer protection for humpback whales. The sanctuary is jointly managed through a cooperative federal-state partnership between NOAA’s Office of National Marine Sanctuaries and the State’s Division of Aquatic Resources. The KIRC and the Sanctuary staff have worked together previously including the temporary housing of the NOAA vessel R/V Koholā at the KIRC Boathouse and NOAA providing transportation to Kaho‘olawe when the ‘Ōhua was inoperable.

In March 2022, the KIRC was contacted by Interim Superintendent, Kate Thompson, regarding a request to possibly relocate their current visitor center to the Kīhei property. The current Sanctuary Visitor Center is located north of the KIRC’s Kīhei Boathouse at 726 South Kīhei Road. It is located along the shoreline and is currently being inundated with shifting sand dunes and flooding during high tide events. The current facility is subject to the rising sea level brought about by climate change. The Sanctuary staff have been looking at other possible government locations along the south Maui coastline as possible relocation sites. The Maui Branch of DLNR Land Division recommended the KIRC site in South Kīhei since the majority of our coastline property is located above the projected sea level rise and provides direct access to the Kīhei Small Boat Ramp.

KIRC staff forwarded a copy of the current Kīhei Operation and Education Center proposal to the NOAA staff to better understand the KIRC’s vision for the Kīhei site.

KIRC Staff meet with the Sanctuary Superintendent and the DAR Co-Manager for a site visit to the Kīhei Boathouse on April 24, 2022, to begin a dialogue on possible partnership opportunities between the KIRC and the Sanctuary. During the site visit, a variety of options were discussed with the agreement that nothing was binding until a proposal was developed and brought forth to the Commission for review and approval.

Some of the options included NOAA building a separate facility on the site or expanding the current Kīhei Operations and Education Center footprint.

The current conceptual design has already been approved by the Maui County Planning Department and has been granted a Shoreline Management Agreement Permit (Major) SMA-Major permit. The current design was based upon the previously approved and renewed Environmental Assessment limiting the building footprint to 10,000 square feet. If a federal partnership is developed to co-locate the Sanctuary offices to KIRC building, it would trigger a

new NEPA review (federal environmental review) that could allow a new redesign of the KIRC facility.

The Sanctuary staff were very positive about the opportunities at the KIRC's Kīhei site and requested to more information to forward to its national office. During discussions staff also mentioned that we would check with our current architect firm for a proposal to develop conceptual plans to expand the facility to house 20 additional staff and five offices in an expanded portion of the building. The architects provided an estimate that was sent to NOAA for their review and offered an estimate to complete the Environmental Assessment to fulfill federal requirements.

DISCUSSION:

PRO: A partnership with NOAA could be the nexus to kickstart the funding and construction of the Kīhei Center. With a federal partner, the KIRC will could have access to federal program funding as well as congressionally directed funding. Also, with the federal agency, as a potential long-term tenant, the Kīhei Center development becomes more attractive to the State legislators for CIP and/or revenue bond funding. The possibility of federal funding also triggers a new environmental assessment due to federal involvement. This new EA would be the responsibility of NOAA, but would allow the KIRC to expand the current Kīhei site plan and add new features that were not possible under the previous EA.

CON: Having a tenant organization co-located in the KIRC Center would require sharing and coordinating the use of the other facilities on site. In the current KIRC Center design, a museum, café, gift shop, commercial kitchen, archives, mill shop, and community meeting spaces are part of the integrated building plan. The KIRC would not have sole use control of these ancillary spaces but would have to coordinate with any building tenants to avoid scheduling conflicts. Since the Sanctuary focus is the preservation of the humpback whale population in Hawai'i, a relationship can be developed between whales and *I Ola Kanaloa* as a major theme within the facility.

NEXT STEPS:

- A proposal from RIM Architects to produce a conceptual redesign and conduct a new EA to be forwarded to NOAA's headquarters for review and directive.
- Upon agreements to tentatively move forward, a new building redesign can be jointly developed between the KIRC and NOAA.
- The KIRC and NOAA would continue discussions to produce a draft MOU or project agreement.
- Brief key legislators on the project and seek state guidance and support.
- Present new design and agreement to the Commission for review and approval.

LEGAL AUTHORITY:

HRS6K-6: Responsibilities and duties of the commission. The general administration of the island reserve shall rest with the commission. In carrying out its duties and responsibilities, the commission:

(11) May solicit and accept grants, donations, and contributions for deposit into the Kaho‘olawe rehabilitation trust fund to support the purposes of this chapter.

HRS6K-9.5: Kaho‘olawe rehabilitation trust fund. (a) There is created in the state treasury a trust fund to be designated as the Kaho‘olawe rehabilitation trust fund to be administered by the department with the prior approval of the commission. Subject to Public Law 103-139, and this chapter:

- (1) All moneys received from the federal government for the rehabilitation and environmental restoration of the island of Kaho‘olawe or other purposes consistent with this chapter;
 - (2) Any moneys appropriated by the legislature to the trust fund;
 - (3) Any moneys received from grants, donations, or the proceeds from contributions; and
 - (4) The interest or return on investments earned from moneys in the trust fund,
- shall be deposited in the trust fund and shall be used to fulfill the purposes of this chapter.

(b) The commission may use moneys in the trust fund to carry out the purposes of this chapter, including hiring employees, specialists, and consultants necessary to complete projects related to the purposes of this chapter.