

MAR 15 2006

SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO
CREATE A TASK FORCE TO ASSESS THE STATUS OF AHU O LAKA IN
KANEHOE BAY, OAHU, AND TO ADDRESS OTHER ISSUES RELATED TO
THE SITE.

1 WHEREAS, Ahu o Laka is a sandbar located in Kaneohe Bay,
2 Oahu, that is of historical and cultural significance; and
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4 WHEREAS, the Legislature recognizes Ahu o Laka as a site of
5 historical and cultural significance that should be preserved in
6 a manner with which reflects the values as well as the cultural
7 worth that the host culture embodies; and
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9 WHEREAS, Ahu o Laka should be regarded and treated as a
10 place of immense cultural value by all those who visit there;
11 and
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13 WHEREAS, there are various accounts of the Hawaiian history
14 of the site; and
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16 WHEREAS, the Legislature recognizes that misuse and abuse
17 of Ahu o Laka has resulted in the desecration of a culturally
18 significant site and the degradation of an important esthetical
19 resource of the State; and
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21 WHEREAS, the Legislature further recognizes that
22 unacceptable behavior has occurred at Ahu o Laka including
23 excessive noise, public drunkenness, littering and physical
24 altercations; and
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26 WHEREAS, public testimony before the 2006 Legislature on
27 SB2004, Relating to Historic Preservation, indicated support
28 allowing public use of Ahu o Laka and regulation of the site for
29 commercial activity and any large gatherings that may be
30 disruptive and pose sanitation and safety concerns; and
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1 WHEREAS, future public use of Ahu o Laka should be
2 reasonable and responsible and in accordance with the demeanor
3 that one would use when in an area of significant Hawaiian
4 cultural value; and

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6 WHEREAS, the authority of the Department of Land and
7 Natural Resources to regulate Ahu o Laka is complicated by the
8 fact that executive order no. 532, signed on May 7, 1932, states
9 that Ahu o Laka is set aside "as a Reservation for the
10 protection of bird, animal and vegetable life..." in other words,
11 at that time when Ahu o Laka was an emerged vegetated island
12 that had nesting seabirds; now, therefore,

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14 BE IT RESOLVED by the Senate of the Twenty-third
15 Legislature of the State of Hawaii, Regular Session of 2006, the
16 House of Representatives concurring, that the Department of Land
17 and Natural Resources is requested to create a task force to
18 assess the status of Ahu o Laka and report to the legislature
19 regarding:

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21 (1) The physical boundaries of the site;
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23 (2) The native Hawaiian history of Ahu o Laka, including
24 historical burials and any other issues that are
25 culturally significant to the site;
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27 (3) Recommendations to rescind or modify executive order
28 532;
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30 (4) Recommended uses of Ahu o Laka, including the
31 performance of hula on the site; and
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33 (5) Any proposals and/or proposed legislation to regulate
34 the various activities allowable at Ahu o Laka; and
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36 BE IT FURTHER RESOLVED that the Chairperson of the Board of
37 Land and Natural Resources is requested to select a task force
38 member from each of the following groups:

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40 (1) The native Hawaiian community;
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42 (2) The marine and environmental community;
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44 (3) The boating and fishing community; and



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(4) The Kaneohe Bay community; and

BE IT FURTHER RESOLVED that the Administrator of the State Historic Preservation Division or the Administrator's designee is requested to serve as a member of the task force. The Chairperson of the Board of Land and Natural Resources, or the Chairperson's designee is requested to serve as a member and chairperson of the task force; and

BE IT FURTHER RESOLVED that the task force is requested to report its findings and recommendations to the Legislature no later than twenty days prior to the convening of the Regular Session of 2007; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Chairperson of the Board of Land and Natural Resources, the Administrator of the State Historic Preservation Division, the Kahalu`u Neighborhood Board, the Ko`olaupoko and Kualoa-He`eia Hawaiian Civic Clubs, the Director of the University of Hawaii's Hawaii Institute for Marine Biology and the President of the Kaneohe Bay Yacht Club.

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