
A BILL FOR AN ACT

RELATING TO NATIVE HAWAIIANS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the original
2 Polynesian colonists of Hawaii came from the Marquesas islands
3 some time between 350 - 750 A.D. The evidence pointing to the
4 Marquesas as the original homeland of the first Polynesians to
5 settle Hawaii is based on three things:

6 (1) The Hawaiian language is most closely related to
7 Marquesan;

8 (2) An analysis of prehistoric skeletal remains shows a
9 very close relationship between traits of the Hawaiian
10 and Marquesan populations; and

11 (3) A comparison of DNA in populations of the Pacific rat,
12 which was widely spread by the Polynesians, shows a
13 link between the Hawaiian and Marquesan rat
14 populations.

15 It is possible that there was more than one settlement voyage,
16 with multiple voyages from both the Marquesas and Tahiti.
17 Hawaiian oral traditions speak of long-distance voyages and



1 their famous navigators, Pa'ao, Mo'i-keha, Kila, and La'a-mai-
2 kahiki.

3 The successful expeditions of the modern-day double-hulled
4 voyaging canoe Hokule'a from Aotearoa (New Zealand) to Rapa Nui
5 (Easter Island) attest to the sailing and navigational skills
6 that made Polynesia's explorers the greatest sailors of all
7 time.

8 When the first settlers arrived here, they found incredibly
9 unique ecosystems, and within those ecosystems--other than the
10 marine ecosystem--they discovered that they could sustain
11 themselves. The plants they brought with them in their voyaging
12 canoes were the core of their culture. They were their food
13 plants, their fiber plants, their medicine plants, and their
14 ritual plants. Initially, the settlers would have looked for a
15 place with abundant marine resources, fresh water, and rainfall
16 to water the plants that they had brought with them on their
17 voyages.

18 The traditional Hawaiian values placed the 'aina and the
19 ali'i nui (high chiefs) as elder siblings (brother or sister),
20 with the maka'ainana as the younger sibling--all three having
21 descended from the mating of the earth and sky. It was the duty
22 of the maka'ainana to malama 'aina (care for the land), while it



1 was the duty of the 'aina and the ali'i nui to ho'omalu
2 (protect) the maka'ainana.

3 The ahupua'a was viewed as a single system. The konohiki
4 managed the ahupua'a as one system. What happened in any one
5 part of the ahupua'a affected all the other parts. The head was
6 connected to the tail; the mauka, connected to the makai. The
7 maka'ainana worked as a community with a shared interest in
8 protecting the land and water resources from wao to ko kaha kai.

9 Pre-contact Hawaiians depended upon an extremely ordered
10 and equitable system of land division in which district
11 boundaries were most carefully planned and laid out. This
12 system guaranteed that all residing within these boundaries
13 would receive a fair share in the rights, privileges, and
14 benefits essential for a self-sufficient yet comfortable life.
15 Private landownership was unknown, and public, common use of the
16 ahupua'a resources demanded that boundaries be drawn to include
17 sufficient land for residence and cultivation, freshwater
18 sources, shoreline access, and open ocean access.

19 There was a clear line of responsibility from gods to ali'i
20 to konohiki to maka'ainana. There were clear kapu
21 (prohibitions), which controlled when and how resources were



1 used, with very strict penalties for those who did not follow
2 the kapu.

3 As the native Hawaiians used the resources within their
4 ahupua'a, they practiced aloha (respect), laulima (cooperation),
5 and malama (stewardship), which resulted in a desirable pono
6 (balance). This system demonstrates sound resource management
7 where the interconnectedness of the clouds, forests, streams,
8 fishponds, sea, and people is clearly recognized.

9 Hawaiian settlers changed their new island home to suit
10 their needs. The kula (lowland mesic forest) was cleared for
11 agriculture; valley slopes were terraced; the muliwai (estuary)
12 was used for fishponds; the wao akua (wet forest) provided
13 building materials, firewood, and medicinal plants; and birds
14 were captured for food and released once the feathers were
15 gathered.

16 Hawaiian native plants and animals developed over many
17 millions of years with no defense against large ground predators
18 like man, or man's domestic plants and animals. The first canoe
19 carried perhaps up to thirty types of crop plants, pigs, dogs,
20 and chickens. Also on board were stowaways like the Polynesian
21 rat, geckos, landsnails, and weeds.



1 A major change was habitat alteration for agriculture. As
2 the population grew, more and more of the lowland mesic forest
3 was cleared and used to grow food. Other areas were burned to
4 encourage the growth of pili grass, used for covering houses.
5 The wao akua was less affected, yet it was logged for woods like
6 koa and 'ohi'a.

7 As in most of the Pacific islands, many species of endemic
8 sea and land birds became extinct after the arrival of man. At
9 least forty endemic species disappeared: large flightless geese,
10 ibises, rails, pueo, an i'o, an eagle, ravens, and many
11 honeycreepers. The cause of such extinction was not only
12 gathering for feathers and food but also the introduction of the
13 Polynesian and Norwegian rat, wild pigs, and destruction of the
14 kula habitat.

15 To the farmer, wai was life, wai was wealth, wai was the
16 source of the law of the land. Wai was needed to grow kalo, the
17 principal food resource. The right to use wai depended on the
18 use of it. As long as the maka'ainana cultivated the land and
19 contributed their share of labor required to maintain the water
20 resource, they had a right to use the water for their kalo.

21 Kalo lo'i alone could claim the water. Other plants were
22 considered dry land crops, unless there was water to spare.



1 People worked together to build and maintain lo'i (taro fields)
2 and 'auwai (irrigation canals) in each of the ahupua'a.

3 Kalo cannot grow in stagnant water. It needs a constant
4 supply of cool water flowing through it. Although planters
5 diverted water from the stream into an 'auwai to deliver this
6 water to the lo'i, the total amount taken was never more than
7 fifty per cent of the total flow. Once used in the lo'i, the
8 water was returned to the stream. Pani wai (dams) were used to
9 divert the stream into the 'auwai.

10 These pani wai were built by stacking basalt boulders
11 across a stream. This construction did not change the stream
12 bottom and stream width or block the passage of native stream
13 animals from mauka to makai. Groups sharing the pani wai killed
14 anyone who broke it, cramming the dead body into the break.
15 Water was extremely precious to the native planter.

16 Another use of wai was for aquaculture. The invention of
17 the loko 'ia (fishpond) was a special achievement of the
18 Hawaiians. Fishponds were highly productive and developed
19 during the growth and expansion of the population. Those who
20 had fishponds loved the lands where they dwelt. Fishponds were
21 things that beautified the land, and a land with many fishponds
22 was called fat.



1 The main species of fish raised in ponds were awa
2 (milkfish) and anae (mullet). It was not unusual for a taro
3 farmer to cultivate o'opu and opae in his loko 'ia kalo.

4 Tradition associates the most famous loko 'ia, Alekoko
5 fishpond, with two ali'i, a brother and a sister. These
6 fishponds were symbols of chiefly status and power and were
7 usually under the direct control of ali'i or konohiki. The fish
8 from these ponds often went to feed chiefly households.

9 Hawaiians were primarily planters of the land. By the time
10 Captain Cook arrived in 1778, Hawaiians had developed
11 agricultural production far beyond any of their Polynesian
12 relatives elsewhere in the Pacific.

13 Hawaiian agriculture was based on two main crop plants.
14 The first was kalo (taro), a water-loving plant of southeast
15 Asian origin. No other Polynesian society admired kalo as a
16 plant and source of food as much as the Hawaiians. The
17 Marquesans favored breadfruit, the Tahitians preferred bananas,
18 but the Hawaiians chose kalo. It was and is the heart of their
19 culture. In all of Polynesia, there were no extensive flat
20 valley bottoms--so perfect for kalo cultivation--that could
21 compare to those found in Hawaii.



1 Second only to kalo as a crop plant was 'uala (sweet
2 potato), which is tolerant of dry conditions and capable of
3 producing high yields, even in marginal soil. Because 'uala is
4 of South American origin, it was once believed that Polynesians
5 were from that area. However, recent understanding of the
6 voyaging skills of Polynesian explorers indicates that they
7 acquired the plant in their travels, well before European
8 arrival.

9 Other crop plants important to the native planter were:
10 mai'a (banana), 'ulu (breadfruit), ko (sugarcane), niu
11 (coconut), and uhi (yam). Other plants extensively cultivated
12 were wauke (paper mulberry) for kapa, 'awa as a narcotic, ipu
13 (gourd) for containers and musical instruments, hala for mats,
14 and many other useful and medicinal plants. However, crop-
15 tending activities were most focused on kalo and 'uala.

16 The earliest planters did not immediately begin
17 construction of large irrigation systems for taro because their
18 small population did not require intensive production. For the
19 first few centuries following their arrival, slash-and-burn
20 gardens, or shifting cultivations, were their most efficient
21 techniques. Land early on was plentiful, and Hawaiian settlers
22 also made extensive use of natural food resources such as native



1 birds, fish, and shellfish. However, in the period from 1100
2 A.D. to 1600 A.D., the Hawaiian population would grow to several
3 hundred thousand. It was at this time that large irrigation
4 works, dryland field cultivation, and aquaculture were
5 developed. This period was called the expansion period, because
6 the growing population, having occupied all the choice
7 agricultural lands, had to expand into marginal areas with less
8 agricultural resources.

9 It was in the expansion period that stone-faced lo'i
10 (pondfields) and 'auwai (irrigation channels) were built.
11 Around the fifteenth century, the earliest loko 'ia (fishponds)
12 were built. The native population had become large enough to
13 provide the labor for these massive projects of agricultural
14 intensification.

15 It was in the expansion period that the ahupua'a system of
16 land management developed, along with its associated social
17 class structure. As the population grew and the amount of
18 available land and resources diminished, the need to divide
19 these resources and resolve territorial boundaries increased;
20 thus, the ahupua'a system was formed. Residents of an ahupua'a
21 had free access to all the resources in their ahupua'a, from
22 mauka to makai and makai to mauka.



1 By the expansion period, the society had divided into a
2 pyramidal structure, with the mo'i (king) at the top, layers of
3 ali'i below him, the konohiki in charge of the ahupua'a below
4 them, and the maka'ainana at the bottom. The maka'ainana were
5 the real native planters, and as their name suggests, "the eyes
6 of the land." At the top of the pyramid were the ali'i nui.

7 In return for their use of the land, the maka'ainana owed
8 the upper layers of chiefs labor, loyalty, and a share of their
9 agricultural product. All rights to the land were with the
10 ali'i, and the ali'i could gain or lose power with a turnover in
11 chiefs above them. Changes in the upper-level ali'i rarely
12 affected the native planters because the maka'ainana who
13 faithfully cultivated the land were valuable to whoever was in
14 power.

15 Once constructed, Hawaiian irrigation systems did not
16 require much management. However, these systems produced high
17 yields for the amount of labor invested.

18 'Ainakumuwai is the land that is the source of the water.
19 It is another name for the watershed. The quality of a stream's
20 water depends on its source. Rain runs off the land into
21 streams or percolates into the groundwater. Whatever the rain
22 carries into a stream affects the qualities of that stream.



1 High-quality Hawaiian streams are clear, cold, and have a
2 strong flow all year long. There is little sediment, leaf
3 litter, and other loose debris because of an uninterrupted
4 stream flow and flash floods caused by heavy rains in the
5 mountains. Flow rates can rise and fall rapidly in response to
6 rainfall. Hawaiian streams have a relatively short and steep
7 descent from the mountains, and their bottoms are typically
8 basalt (bedrock, boulders, cobbles, gravel, and sand). Any
9 withdrawal of water by well, tunnel, or diversion affects the
10 stream flow (mauka to makai connection).

11 Biologically, alien, introduced species dominate the
12 environment to the near exclusion of native species. Poeciliid
13 fish (small mouth bass, guppies, sword tail, medaka)
14 predominate. Hinana (young 'o'opu) are like candy to these
15 introduced fish. Many streams are a poor habitat for native
16 species because of severe sedimentation, dewatering, bank
17 erosion, and human impact to papa (level) areas. The papa zone
18 and forests are mostly inhabited by alien species.

19 When humans arrived over a thousand years ago, they began
20 changing their new island home to suit their needs. The
21 attitudes and effects of the ahupua'a and plantation management
22 systems on land, water, and sustainability throughout Hawaii



1 have been examined. As the islands continue to be changed, the
2 effects of man's decisions will be visible in the streams and
3 water. The past and the present have been examined. The future
4 is the kuleana (responsibility) of the present.

5 Over the past two hundred years, the islands have
6 experienced severe changes. These changes include the
7 deterioration of the Hawaiian culture, language, values, and
8 land tenure system, which have in part resulted in the over-
9 development of the coastline, alteration of fresh water streams,
10 destruction of the life-giving watersheds, decimation of the
11 coral reefs, and decline of endemic marine and terrestrial
12 species.

13 Stewardship of the land and its resources was formalized
14 through the kapu system. The kapu were administered and
15 enforced by konohiki and kahuna (priests), who placed
16 restrictions on fishing certain species during specific seasons,
17 on gathering and replacing certain plants, and on many aspects
18 of social interaction. In this way, the community maintained a
19 sustainable lifestyle. Through sharing resources and constantly
20 working within the rhythms of their natural environment,
21 Hawaiians enjoyed abundance and a comfortable lifestyle, with
22 leisure time for recreation during the harvest season of the



1 year. This lifestyle also encouraged a high level of artistic
2 achievement. Many crafts, including Hawaiian kapa and
3 featherwork, were the finest in the Pacific. Hawaiians devoted
4 themselves to competitive sport and martial arts, as well as
5 expression through dance and chant, creating rich traditions
6 that continue today.

7 Restoration is the return of a degraded ecosystem to a
8 close approximation of its remaining natural potential. Some of
9 the problems of restoration are already known. The physical,
10 chemical, and biological conditions are reviewed separately,
11 although they function as one system. The modern day
12 maka'ainana though, are the most important element of all.

13 The ahupua'a is an ancient Hawaiian land division system
14 that contained strips of land that extended from the mountain to
15 the kupapaku (ocean floor). The ahupua'a supported a self-
16 contained and ola (life-giving) community working with a spirit
17 of cooperation of caring and revering the land to meet the needs
18 of all. Through the study of the ancient Hawaiian ahupua'a, the
19 biological and non-biological factors and their interactions, it
20 is hoped that those elements that supported the success of that
21 ecological system can be identified. Learning to build on those



1 elements and not fight nature but to cooperate and live in
2 harmony with nature to build a sustainable future is the goal.

3 Native Hawaiian culture is knowledge passed on for
4 generations and still living for the purposes of perpetuating
5 traditional protocols, caring for and protecting the
6 environment, and strengthening cultural and spiritual
7 connections. It is through the aha moku council that native
8 Hawaiians protected their environment and sustained the
9 abundance of resources which they depended upon for thousands of
10 years.

11 Today, many Hawaiian communities are becoming revitalized
12 by using the knowledge of cultural practitioners that was passed
13 down through kupuna and through experienced mahi'ai (farmers)
14 and lawai'a (fishers) to engage and enhance sustainability,
15 subsistence, and self-sufficiency.

16 Furthermore, many Hawaiian communities are interested,
17 concerned, involved, willing, and able to advise the
18 departments, agencies, organizations, and other groups in
19 integrating traditional knowledge and ahupua'a management
20 practices.

21 This concept is consistent with the Hawaii State
22 Constitution, which reaffirms and protects all rights



1 customarily and traditionally exercised for subsistence,
2 cultural and religious purposes, and possessed by ahupua'a
3 tenants who are descendants of native Hawaiians who inhabited
4 the Hawaiian islands prior to 1778, subject to the authority of
5 the State to regulate such rights.

6 In addition, the legislature finds that on August 15 to 17,
7 2006, the Ho'ohanohano I Na Kupuna Puwalu series began, and
8 native Hawaiian cultural and traditional practitioners versed in
9 lawai'a and mahi'ai and ocean and land ahupua'a methods gathered
10 to discuss and bring forth the wisdom of the kupuna and
11 ancestors. It was a gathering of empirical knowledge handed
12 down from generation to generation on traditional fishing,
13 agriculture, streams, fishponds, and land-use methodology based
14 on the ahupua'a system. Representatives from thirty-seven moku
15 in the State of Hawaii; over one hundred ahupua'a practitioners,
16 including kupuna; and the acknowledged traditional experts of
17 each moku came forth with their mana'o and concerns.

18 The conclusion of Puwalu Ekahi was the creation of a
19 resolution calling on the Hawaiian people to begin the process
20 of upholding and continuing Hawaiian traditional land and ocean
21 practices. Perpetuating and preserving the knowledge of the
22 practitioners through the continuation of konohiki management,



1 the kapu system, the creation of an 'aha moku, and the ahupua'a
2 management system was the consensus of all.

3 On November 8 and 9, 2006, Puwalu 'Elua brought together
4 educators, administrators, cultural practitioners, and kupuna to
5 discuss practices, concepts, and items such as:

- 6 (1) Values and the spiritual connection between natural
7 resources and native Hawaiians;
- 8 (2) The ahupua'a concept;
- 9 (3) Generational knowledge and generational learning;
- 10 (4) The importance of place names and mo'olelo, seasonal
11 closures, and lunar calendars;
- 12 (5) Fishing practices;
- 13 (6) Northwestern Hawaiian islands;
- 14 (7) Konohiki connections;
- 15 (8) Marine protected areas;
- 16 (9) Upena (nets);
- 17 (10) Placed-based kapu;
- 18 (11) Limu; and
- 19 (12) Pu'uhonua concepts that could be developed as the
20 educational framework to integrate this knowledge into
21 the curricula for all public, private, charter, and
22 Hawaiian immersion schools in Hawaii.



1 On December 19 and 20, 2006, Puwalu 'Ekolu brought together
2 major policymakers and stakeholders in the protection of the
3 Hawaii ecosystem. Native Hawaiian practitioners, experts in
4 traditional methods of sustainability, and government
5 policymakers, including members of the state legislature, state
6 agency directors, environmental groups, educational leaders, and
7 Hawaiian community organizations discussed existing programs and
8 their successes and failures in community capacity-building. In
9 conclusion, it was agreed that statutes and ordinances and a
10 framework for community consultation using the Hawaiian
11 perspective and traditional methods such as the ahupua'a
12 management system was needed and the creation of "aha moku
13 councils" should be established.

14 In the 2005 "Hawaii Ocean Resources Management Plan" report
15 to the twenty-third legislature, regular session of 2006, it was
16 identified under the "protection of natural and cultural
17 resources" section that development of a system for assessing
18 management needs and developing management practices that draw
19 collectively on regulatory, science-based, traditional,
20 cultural, community-based, and political systems such as the
21 konohiki or ahupua'a concept is needed. Aha moku councils
22 provide meaningful feedback.



1 The purpose of this Act is to create a system of "best
2 practices" based upon the indigenous resource management
3 practices of moku (regional) boundaries that acknowledge the
4 natural contours of land, the specific resources located within
5 those areas, and the methodology necessary to sustain those
6 resources and community.

7 This aha moku council system shall foster understanding and
8 practical use of knowledge, including native Hawaiian
9 methodology and expertise, to assure responsible stewardship and
10 awareness of the interconnectedness of the clouds, forests,
11 valleys, land, streams, fishponds, and sea. It shall include
12 the use of community expertise and establish programs and
13 projects to improve communication, education, and training on
14 the stewardship (mauka to makai and makai to mauka) issues
15 throughout the moku and increase scientific education among
16 related professions, including community residents and native
17 Hawaiians.

18 SECTION 2. The Hawaii Revised Statutes is amended by
19 adding a new chapter to title 12 to be appropriately designated
20 and to read as follows:

21 **"CHAPTER**

22 **AHA MOKU COUNCIL SYSTEM**



1 **§ -1 Aha moku council system and commission; purpose.**

2 (a) The purpose of the aha moku council system, which shall
3 consist of thirty-nine aha moku councils, with the
4 administrative assistance of the aha moku council commission and
5 executive secretary, shall be to collect information and
6 recommendations from the ahupua'a residents within each moku and
7 people who are knowledgeable on the moku, to advise the State,
8 including the governor, the department, and the legislature,
9 based on the indigenous resources management practices of moku
10 boundaries that acknowledge the natural contours of the land,
11 the specific resources located within the moku, and the
12 methodology necessary to sustain those resources and the
13 community to, among other things:

14 (1) Ensure the future sustainable use of the state's
15 marine, land, cultural, agricultural, and natural
16 resources;

17 (2) Create a system of "best practices";

18 (3) Foster understanding and practical use of knowledge,
19 including native native Hawaiian methodology and
20 expertise; and

21 (4) Establish programs and projects to improve
22 communication, education, and training on stewardship



1 issues within individual mokus.

2 (b) The councils shall:

3 (1) Be consulted in an advisory capacity by all state
4 agencies; and

5 (2) Submit information and recommendations to relevant
6 state agencies when a moku feels it is necessary to
7 do so within the context of any state activity.

8 **§ -2 Definitions.** For the purposes of this chapter:

9 "Aha moku council commission" or "commission" means the
10 administrative office of the council system that is responsible
11 for providing administrative and technical support services to
12 enable all of the councils to carry out their mandates.

13 "Aha moku council" or "council" means a council composed of
14 the most knowledgeable experts in the trade of fisher (lawaiia),
15 farmer (mahiai), practioners, and kupuna for each moku of the
16 islands of Hawaii, Maui, Molokai, Lanai, Kahoolawe, Oahu, Kauai,
17 Niihau, and Molokini.

18 "Ahupua'a resident" means a resident who lives in the
19 ahupua'a as the resident's primary and permanent residence.

20 "Department" means the department of land and natural
21 resources.

1 "Moku" means a district designated by the regions listed in
2 section -3(b).

3 **§ -3 Aha moku council commission; establishment.**

4 (a) There is established the aha moku council commission which
5 shall be placed within the department for administrative
6 purposes. The commission shall consist of one representative
7 who shall serve all of the aha moku councils, be appointed by
8 the governor, and serve as the executive secretary of the aha
9 moku council system. The governor shall make the appointment
10 based on recommendations made by the councils. The commission
11 shall provide administrative support to each council to enable
12 the council to carry out the formation and operation
13 determinations as listed in section -5, upon the council's
14 request.

15 (b) The aha moku council system shall be composed of
16 councils for each of the mokus identified in this section within
17 the islands of Hawaii, Maui, Molokai, Lanai, Kahoolawe, Oahu,
18 Kauai, Niihau, and Molokini, which each constitute a region, as
19 follows:

20 (1) The island of Hawaii shall consist of the mokus of
21 Kau, Puna, Hilo, Hamakua, Kohala, and Kona;

- 1 (2) The island of Maui shall consist of the mokus of
2 Hamakualoa, Hamakuapoko, Hana, Honuaula, Kaanapali,
3 Kahikinui, Kaupo, Kipahulu, Koolau, Kula, Lahaina, and
4 Wailuku;
- 5 (3) The island of Molokai shall consist of the mokus of
6 Halawa, Kaluakoi, Kawela, and Palaau;
- 7 (4) The island of Lanai shall consist of the mokus of
8 Koolau and Kona;
- 9 (5) The island of Kahoolawe shall consist of the moku of
10 Kahoolawe;
- 11 (6) The island of Oahu shall consist of the mokus of Ewa,
12 Kona, Koolaupoko, Koolauloa, Waialua, and Waianae;
- 13 (7) The island of Kauai shall consist of the mokus of
14 Halelea, Kona, Koolau, Napali, and Puna;
- 15 (8) The island of Niihau shall consist of the mokus of
16 Kona and Koolau; and
- 17 (9) The island of Molokini shall consist of the moku of
18 Molokini.

19 **§ -4 Executive secretary.** (a) The executive secretary
20 shall:

- 21 (1) Certify the elections conducted by each council;
- 22 (2) Ensure that the electoral processes, including the



1 qualifications of membership, adopted by each moku are
2 in accordance with state and federal laws;

3 (3) Communicate the findings of each council in reports to
4 the governor, department, and legislature, whenever
5 requested to do so by any of the councils; and

6 (4) Serve as record keeper of all reports and findings
7 prepared by all councils for public viewing purposes.

8 (b) The executive secretary shall not be a voting member
9 on any council.

10 (c) The executive secretary shall serve without
11 compensation, but shall be reimbursed for necessary expenses
12 incurred during the performance of the executive secretary's
13 duties.

14 **§ -5 Council operations.** Each council shall determine
15 and adopt for itself the following, in accordance with law,
16 based on a consensus developed by interested parties during
17 regional community meetings and other sources of input:

18 (1) The electoral process for the members of each council;

19 (2) The number of members in each council;

20 (3) Qualification for membership on each council; and

21 (4) Term limits for the members of each council.



1 **§ -6 Advisory capacity; advocacy; regional community**
2 **development programs.** (a) All state agencies shall obtain
3 advisory input from all councils that are likely to be affected
4 by the state agency's proposed activity for management and
5 maintenance of marine, land, cultural, agricultural, and natural
6 resources to ensure their future sustainable use.

7 (b) The councils shall:

8 (1) Treat the ahupua'a as the basis of the state's
9 traditional resource management system;

10 (2) Hold meetings to collect information and
11 recommendations from the individual council's ahupua'a
12 residents and people who are knowledgeable about the
13 moku, on management strategies to perpetuate the
14 marine, land, cultural, agricultural, and natural
15 resources of the moku;

16 (3) Act as advocates for the people and resources
17 found in the moku; and

18 (4) Communicate the information and recommendations of the
19 ahupua'a, including proposed legislation, through its
20 executive secretary to the governor, department, and
21 legislature, by requesting the executive secretary to
22 submit the information for consideration to the



1 governor, department, or legislature,
2 to assist the State in the development of a comprehensive set of
3 best sustainable practices for marine, land, cultural,
4 agricultural, and natural resources management.

5 (c) The councils may establish regional community
6 development programs for fishery, agriculture, water, or land
7 use within state jurisdiction to provide access and
8 sustainability practices to a region's fishery and agriculture
9 that enhances the region's community education, cultural
10 awareness, and participation in protection and preservation of
11 the state's natural resources.

12 **§ -7 Rule-making authority.** The department, in
13 consultation with the councils, representatives of state and
14 county marine and fishery, agriculture, water and land use
15 agencies, and appropriate Hawaiian organizations, including the
16 office of Hawaiian affairs and the department of Hawaiian home
17 lands, shall adopt rules pursuant to chapter 91 necessary to
18 carry out the purposes of this chapter."

19 SECTION 3. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so much
21 thereof as may be necessary for fiscal year 2007-2008 for
22 administrative costs related to the aha moku council system.



1 The sum appropriated shall be expended by the department of
2 land and natural resources for the purposes of this Act.

3 SECTION 4. This Act shall take effect upon its approval;
4 provided that section 3 of this Act shall take effect on July 1,
5 2020.



Report Title:

Aha Moku Councils

Description:

Establishes Aha Moku Commission to assist in the formation of regional Aha Moku Councils, which shall serve in an advisory capacity on all matters regarding the management of the state's natural resources. Requires the Department of Land and Natural Resources to seek advisory assistance from the Aha Moku Councils in developing a comprehensive set of best practices for natural resource management. (SB1853 HD1)

